The Outlook

VOLUME 94 JANUARY 8, 1910 NUMBER 2

PUBLISHED WEEKLY BY THE OUTLOOK COMPANY, 287 FOURTH AVENUE, NEW YORK
LAWRENCE F. ABBOTT, PRESIDENT. WILLIAM B. HOWLAND, TREASURER. KARL V. S. HOWLAND, SECRETARY
REGULAR WEEKLY NUMBERS, FIVE CENTS. MAGAZINE NUMBERS (FOURTH ISSUE OF EACH MONTH) FIFTEEN CENTS. YEARLY SUBSCRIPTION — FIFTY-TWO ISSUES — THREE DOLLARS IN ADVANCE. ENTERED AS SECOND-CLASS MATTER AT THE NEW YORK POST-OFFICE

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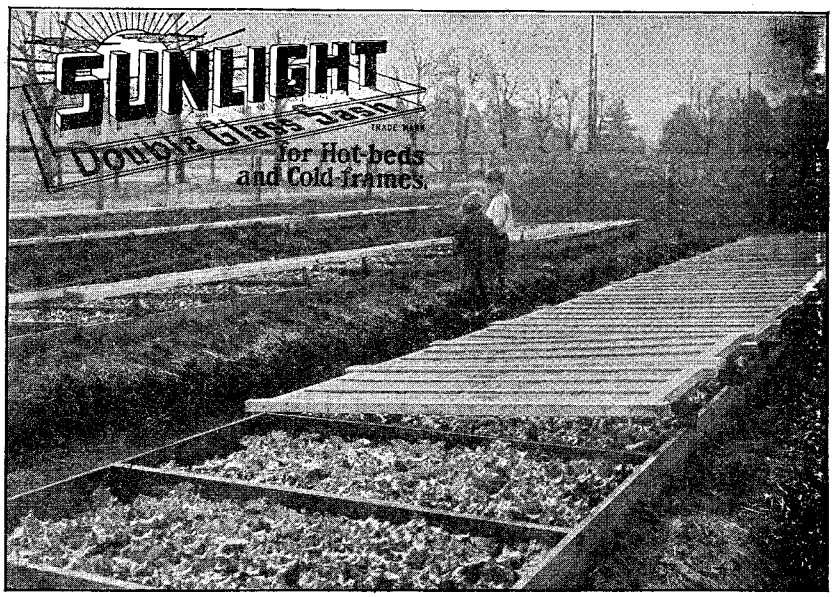

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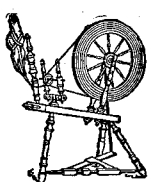

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The Outlook

JANUARY 8, 1910

LYMAN ABBOTT, Editor-in-Chief. HAMILTON W. MABIE, Associate Editor
THEODORE ROOSEVELT
Contributing Editor

WHAT IS WHISKY?

Perhaps no more complicated and difficult problem has arisen under the Pure Food Law than that involved in the question asked in the title of this paragraph. It is not by any means merely a chemical problem or one of the right use of a word. Commercial interests of vast magnitude have been at stake. On their side, the "straight whisky" manufacturers insist that there is a recognized method of distilling, aging, and handling whisky which results in a product to which alone the name whisky applies, and that any product which is made out of so-called neutral spirits or any product which is a blend of the real whisky and neutral spirits is a totally different thing, and should not be called by the same name. The Pure Food authorities have taken the same view, while an opinion and report rendered some time ago by Solicitor-General Bowers supports the opposite view. There is no question at issue here as to whether all whisky is poisonous or deleterious in the sense used in the Pure Food Law. That law has two chief objects—to forbid the sale, in articles of food and drink, of that which is poisonous or directly injurious to health; and, second, to prevent deceit in palming off on buyers articles of food or drink which are not what they pretend to be. President Taft, in his final decision, rendered last week, takes the ground that the definition of the word whisky is of minor importance if some course can be adopted to prevent fraud in the sale of the different kinds of whisky. He accepts the general use of the word in vogue, he says, for a hundred years, to include all potable liquor distilled from grain, although he thinks that Mr. Bowers carries this doctrine in some points a little too far. But the President declares that the real object to be accomplished is to let the public know exactly what kind of whisky they buy and drink. This he accomplishes by directing that everything sold under the name of whisky shall be so labeled as to indicate its character—that is, "straight whisky" shall be so labeled, and other products shall be branded "whisky made from rectified spirits," or "whisky made from redistilled spirits," or "whisky made from neutral spirits," as the case may be, while, if the product is aged in the wood, that fact may also be stated. In this way Mr. Taft holds that no man's lawful business will be injured and that no misunderstanding can exist. This method of cutting the Gordian knot has in it elements of common sense and fairness, although it will not satisfy either party to the commercial controversy nor please the advanced Pure Food advocates. The latter urge that if blended whisky and spirits may be sold under the name whisky, blended sugar syrup and glucose may be sold under the name syrup, and possibly blended butter and oleomargarine under the name butter. To this it may be answered that each case must be considered on its own merits, that the President is not here dealing with universal principles but deciding a particular problem, and that it is misleading and futile to give such a decision too wide an application.

PORTO RICAN CITIZENSHIP

General Clarence R. Edwards, Chief of the Bureau of Insular Affairs, in his annual report to the Secretary of War urges that American citizenship be extended to the Porto Ricans. This grant of citizenship he regards as a simple act of justice.

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Whether this is done by a law conferring citizenship on the whole body of Porto Ricans, or by an act enabling them, by the performance individually of some simple preliminary acts, to become American citizens, he thinks is of secondary importance. It is certainly true that the present condition of the Porto Ricans is anomalous. They are men without a country. They are not citizens of the United States, and they are not citizens of Porto Rico, since that dependency is not recognized by the nations as having any independent national existence. But the question whether citizenship should be conferred on them as a body by a general act, or should be offered to them individually to be accepted by a process analogous to naturalization, is one of fundamental importance. The Constitution of the United States provides that "all duties, imposts, and excises shall be uniform throughout the United States." This clause does not now apply to Porto Rico, because Porto Rico is not part of the United States. It is territory belonging to the United States, but is not a part of it, and its inhabitants can neither claim the advantages nor are they subject to the restrictions of the Federal Constitution. If Porto Rico were a part of the United States, all money collected in the island from duties, imposts, and excises would, of necessity, be paid into the Federal Treasury to be expended for the general welfare. As Porto Rico is not a part of the United States, but the property of the United States, this clause of the Constitution does not apply to it, and all the money collected in the island by Federal taxation is paid back to the Insular Government to be expended in the island. This constitutes considerably more than half of its income. The receipts from local taxation are, with the exception of ten per cent to defray the cost of collection, paid over to the municipalities to be locally expended. The road-building and other public improvements; the school system, which now provides education for every district in the island; and the sanitary system, under which two hundred and fifty thousand of the inhabitants have been successfully treated for tropical anæmia, are all largely dependent on the moneys received from Federal taxation. To deprive the island of this income would mean incalculable disaster to the islanders. If Congress were to pass a general law making Porto Ricans citizens of the United States, there is good reason to believe that the courts would hold that this did, *ipso facto*, make Porto Rico part of the United States, and it would thus deprive the islands of their chief income. This, at least, is the opinion of some able Constitutional lawyers. On the other hand, the mere fact that a large number of American citizens live in Porto Rico would no more make Porto Rico a part of the United States than the fact that a large number of Japanese live in the Hawaiian Islands makes the Hawaiian Islands a part of Japan. For these reasons, in our judgment, the question whether Congress passes a general law declaring all Porto Ricans to be American citizens, or a special law enabling such Porto Ricans as desire to do so to become American citizens by a process analogous to naturalization, is not a question of detail. The right decision of this question is fundamental to the well-being of Porto Rico. It is also important to America, because American citizenship ought not to be conferred wholesale upon a people without regard to their qualification for citizenship. It should be conferred only on those for whose competence for American citizenship and for whose loyalty to the American Nation there is some responsible guaranty. The same principles apply and the same course should be pursued toward the Philippines, and, unless past legislation prevents, toward the Hawaiian Islands, for the latter would be far more benefited by being put in receipt of all Federal taxes levied in the islands, to be therein expended, than they can be by the theory that they constitute an organized Territory of the United States and are under its Constitution.

WE HAVE TOO MANY NAVY-YARDS

Our navy costs more than it should, partly because of superfluous navy-yards. For instance, we have one at Portsmouth and one at Boston. As Portsmouth and Boston are geographically close together, one of these yards should be abolished. Of course we must always have an important yard in New

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York Harbor. That at League Island in the Delaware River, opposite Philadelphia, however, should really be the most important of all, because it is near a great mining and manufacturing region. Its chief function consists in the overhauling of vessels, and this requires time. The yard at Norfolk must also always be important. But the one at Charleston, questionable anyway, was absurdly built so far up the river that it is practically useless. Of course, in early days, when ships were of light draft and when coast defenses amounted to little, it was the practice, based on a good principle, to establish navy-yards at a considerable distance from the sea, so that they could not be readily attacked and captured. That accounts for the location of the present navy-yards at Charleston, Philadelphia, and San Francisco. But the channels to all of these yards have none too much water. Hence, if there is any danger at all, it is that an enemy might sink a collier or other vessel and effectually bottle up any of our battle-ships which happened to be there. Another feature generally overlooked in regard to navy-yards so situated is that their usefulness will be greatest after a battle has been fought and vessels have been injured. Then ships must be taken to the nearest yards and repaired as quickly as possible so as to get them ready for action again. Owing to damage to her hull, an injured battle-ship will probably draw several feet more water than when in normal condition. It will not, then, be possible to get such ships to navy-yards where the channel is long and tortuous and where the depth of water is only just enough for the battle-ship in her usual draft. But, in any event, on the Atlantic coast, the navy-yards at Boston, New York, Philadelphia, and Norfolk are all that are really required. As to the Gulf coast, the navy-yard at Pensacola may be a necessity, but one at New Orleans certainly is superfluous.

PACIFIC COAST NAVY-YARDS

On our Pacific coast the requests of the people of San Diego for a navy-yard were refused because our policy was then to reduce rather than to increase the number. At San Francisco we lost the opportunity to acquire the right property, and for the present must be content with what we have. Our navy-yard at Mare Island lies thirty miles from San Francisco, and ships must pass through a channel always difficult to keep at the requisite depth. If we could acquire, at a reasonable cost, property and dry-dock rights in San Francisco itself, a navy-yard would be ideally located and close to sources of supply and labor. Farther up the coast, a navy-yard in Puget Sound is necessary. Two sites were considered. One was at Lake Washington, just outside the city of Seattle. The site was desirable, not only because it is close, as every navy-yard should be, to a large supply of labor and ample transportation facilities, but also because the lake affords a supply of fresh water. Wherever possible, fresh water should be had in order to lay up ships more advantageously than in salt water. One of the reasons why League Island Navy-Yard is so valuable is because of its fresh water supply. To reach Lake Washington from Puget Sound a short canal would have to be cut. Because of the fear that in time of war an enemy might block the necessary canal, the Government decided on a site now called Bremerton, fifteen miles across Puget Sound, in a wilderness where a forest primeval had to be hewn down in order to establish a navy-yard well located as to natural advantages but far away from any labor supply and far away from any railway—indeed with no means of communication with the outside world except by vessel across the Sound. Our navy-yards might absorb less from the people's funds than at present if a rearrangement were made. We have too many navy-yards on the American mainland.

A CIVIC TRIUMPH

By a majority of seven thousand in a total vote of thirty thousand, Kansas City, Missouri, has refused to grant a forty-two-year franchise to the Metropolitan Street Railway Company of that city. The result was a decisive victory for civic decency and for the principle of the referendum in city affairs. It indicated the growing tendency of American cities to retain control of their streets and to refuse to make long-term franchise grants. The situation in

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Kansas City has already been described in The Outlook. The street railway company has a franchise which does not expire until 1925. In order to refinance the company, it obtained from a complaisant Council and Mayor an extension to 1951. The concession offered was the promise of the sale of six tickets for twenty-five cents on the cars and twenty-five for a dollar at drug-stores, after three years. Meanwhile the company was to build a viaduct to carry a roadway and car tracks from the heights of Kansas City into the river bottoms of the wholesale and packing-house district. The wording of the reduced fare clause of the ordinance was ambiguous, there was no limitation on the issue of securities, and the forfeiture clause was so worded that it would have been virtually impossible to forfeit the franchise. Fortunately, under its new charter there is a compulsory referendum in Kansas City on all franchises for a term of more than thirty years, and a referendum on all franchises on a petition of twenty per cent of the voters. The City Club at once protested against the terms of the franchise, and organized a non-partisan Committee of One Hundred to manage the campaign. This organization had the powerful support of the Kansas City "Star." Meetings were held in various parts of the city under its direction every night for the fortnight before election, and several hundred volunteers were obtained to work at the polls on election day. In the last days of the canvass the street railway company became desperate, and pay stations were publicly operated where literally hundreds of men were employed as "workers" to talk for the franchise on the street cars and to get out the vote on election day. So demoralizing were the methods employed that the Committee of One Hundred was impelled to publish an emphatic protest against the attempt "to buy the election." The chief elements of danger in the situation lay in the possibility of corruption and fraud because of the great money stake of the street railway in the outcome, and in the fact that nearly thirty per cent of the voters were disfranchised through lack of the opportunity to register. The board of election commissioners, which had been appointed by Governor Folk, and the police commissioners, appointed by Governor Hadley—both of whom, by the way, had come out publicly against the franchise—took extraordinary precautions to make the election honest. The majority against the franchise registered in no uncertain way the opinion of the people of Kansas City.

THE DOWNFALL OF A TYRANT

The flight of Zelaya was the sensational event of the week in Nicaragua. He took refuge in Mexico, and it is unlikely that he will ever return to afflict the country he has misgoverned and robbed. The extent of the plunder he has gained is indicated by a despatch stating that the average yearly profit of the tobacco and alcohol monopolies has been over a hundred and fifty per cent; no one doubts that Zelaya got an enormous "rake-off;" the Government will now take over these monopolies and use the profit to pay off foreign bonds. Mexico is well within international practice in allowing Zelaya refuge on her soil, and the visit of a special Mexican envoy to Washington has brought out a reassertion of the mutual intention of Mexico and the United States to require in Central America peace and good government, and the submission of the disputes between the republics to the Court of Arbitration established under the treaty made in Washington in 1907. Rumors that Mexico has resented the recent action of our Government as to Nicaragua lack confirmation. The internal condition of Nicaragua will require time for a satisfactory settlement. It is true that, as reported last week, the insurgents under General Estrada have practically annihilated or dispersed the army sent against them by Zelaya, and it is to be noted with great satisfaction that after the bloody battle of Rama the sailors and medical corps of our war-ships rendered invaluable aid and performed a much-needed office of humanity in nursing, sheltering, and feeding the wounded. It is true, also, that efforts are being made to bring about an agreement between President Madriz and General Estrada. Yet the prospect is not very encouraging; first, because General Estrada is not likely to lay down his arms and submit the

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question of the Presidency to a general election to be conducted by the Government at Managua, which is under the control of Madriz—and this is what Madriz proposes; and secondly, because, although Estrada is victorious in the east, the conquest of the west is a very serious and difficult undertaking. We note a well-informed letter in the New York "Sun" from Mr. John T. McCall, an American who has lived several years in Nicaragua, in which it is stated that "the scenes of Estrada's campaign are from one hundred and fifty to two hundred miles from Managua, the capital, and to reach the seat of government General Estrada will have to march his army through a section of almost impassable country, where the soil is sandy, which impedes progress, and where the underbrush is not unlike that of a jungle. It is probably the most impassable section of country in Nicaragua." The same letter declares that Madriz is a gentleman of high integrity, a lawyer by profession, and capable of restoring peace and establishing a stable government, while Estrada is of mixed blood, reckless, and "an undesirable citizen." The United States is not likely to interfere in the internal affairs of Nicaragua so long as there exists in each part of the country a *de facto* government which maintains the rights of American residents, but it will not allow endless anarchy and strife.

THE NEW KING OF THE BELGIANS

An interesting personality has just come to the front of the stage in Europe—Albert, King of the Belgians. Like the others of his race, he is a tall, well-set-up man, with dignified mien and carriage, and with particularly engaging manners. Albert's education was for a long time directed towards his betterment as a man rather than as the inheritor of a kingdom, for after the death of Leopold II's only son Leopold, Prince Baldwin, eldest son of Leopold's brother Philip, Count of Flanders, became the heir. The untimely death of the accomplished Prince Baldwin a few days before the date set for his marriage to Princess Clementine, the late King's only unmarried daughter, made Albert the heir. The new King was born in 1875. Young as he is, he has been accustomed to the tragic afflictions which sometimes overwhelm royal houses. In addition to Prince Baldwin's mysterious death, there was the tragedy of their aunt Carlotta, Leopold II's sister, who went to Mexico an Empress and soon after her return became the maniac she has been ever since. The new King's cousin Stephanie, Leopold II's second daughter, must always be associated in the King's thought with the ghastly suicide of her husband, the Crown Prince Rudolph of Austria; and his cousin Louise, Leopold's eldest daughter, was long imprisoned in a madhouse. The sorrows of the royal household might have assured to the late King the especial sympathy of his subjects, but he barred himself from such devotion by his selfishness. It remains for Albert to win sympathy by unselfishness. As yet he does not impress one with the kingly dignity characteristic of Leopold II's personal manner when that monarch was on "dress parade." But history offers few more unlovely spectacles than that of the latter-day record of the late King, in the rakishness and escapades which made his name loathsome. His cherished nephew who has now ascended the throne must have taken some account of all this. It would be difficult to do otherwise, for Leopold II made little effort at concealment. Domestically, Albert I should be a contrast to Leopold, especially as the new Queen, Elizabeth of Bavaria, is a charming and popular woman. The King, well known as a brilliant student of economics, will doubtless distinguish himself as his uncle did by siding with the progressives and not with the reactionaries in all that concerns Belgium's welfare at home. Abroad—and this means the Congo—Albert's recent visit to that country must have shown to him the actuality of certain conditions there. He is reputed to be a humane man. He could not have seen the Congo country and people without being impressed by the necessity to emphasize humanity in the treatment of the natives. Even assuming that the stories which have come to us are somewhat exaggerated, enough is true to make the new King walk with extreme circumspection. We may hope and expect that his reign will represent the personal dig-

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nity and the progressive political views necessary to the ruler of Belgium.

SIR ALFRED JONES

The death of one of the greatest of English ship-owners attracts particular attention. First of all, Sir Alfred Jones was a strong personality and a real philanthropist as well as a far-sighted man of affairs. At an early age he became a partner in the well-known shipping firm of Elder, Dempster & Co. At that time the firm was doing a rather small business between Liverpool and African ports. The new member devoted himself so persistently to developing the possibilities of West Africa that, when the Royal Niger Company (a promoting concern for the exploitation of the territory of the Niger River) ceased to be an administrative corporation, he induced the British Government to establish its colony of Nigeria, comprising nearly fourteen million inhabitants. He promoted the agencies of trade and transportation, domestic as well as foreign, there and in the other West African colonies, the Gold Coast colony, Ashanti, the Sierra Leone and the Gambia colonies. He did more. His service was not only economic but humanitarian. His was the strongest influence in the suppression of slavery on the African West Coast. More than elsewhere it was difficult to root out the wrong in northern Nigeria. It was largely due to Sir Alfred's influence that a proclamation was issued in 1900, not abolishing domestic slavery, but declaring all children born after April 1, 1901, free. It forbade the removal of domestic slaves for sale or transfer, and extended to all inhabitants of the Nigeria Protectorate the penalties for dealing in slaves. Moreover, recognizing the terrible limitations of human life and endeavor on the African West Coast through malarial fevers, and desiring to bring together scientists in the effort to combat the unhealth, Sir Alfred established and endowed at Liverpool a School of Tropical Medicine, the first institution of its kind in the world. It helped not only the colonies in which Sir Alfred was interested; it helped other British colonies as well. It also helped us Americans in meeting our responsibilities as to health in Cuba, Porto Rico, Panama, and the Philippines. But West Africa was not the only field where Sir Alfred Jones displayed his talents. He established a West Indian steamer service, and incidentally developed out of small beginnings the present great exportation of bananas from Jamaica. He then bought the Beaver Line, operating between Liverpool and Canada. All of these lines were his lines, not the Government's. For he built his ships without Government subsidy. He operated them without a penny of Government protection. Special attention is thus called to such a career at a time when in many countries, including our own, Government help is being sought to subsidize shipping. Sir Alfred Jones's fame and fortune rest squarely upon "a fair field and no favor." Of such empire-builders is the mighty British Empire builded.

FREDERIC REMINGTON

The death of Frederic Remington, artist, writer, and sculptor, at a time when he was fast becoming a painter of genuine power, is a serious loss to American art and to a wide circle of friends. He was a man of exceptional vigor whose life-work seemed only approaching maturity. He was ill but a few days, and he was under fifty years of age when he died. His father, who was a journalist, was eager to make a journalist of him; but the boy had other aspirations, and, very fortunately in his case, he eventually had his own way, and went to the Yale Art School. If reports are to be trusted, his eminence at that institution was on the football field rather than in the art classes. His powerful frame, courage, and audacity made him an athletic hero. The death of his father interrupted his education; he became a clerk in a village store, where he saw many things which he later recounted with infinite glee. In course of time he went West, and here his art education was aided by four years' experience as a cow-puncher. He was in the saddle from morning until night, seeing the life of the plains at its most picturesque and vital moment, familiar with army posts and cavalry stations, studying horses, mules, cattle, sheep; at times a scout, at other times a ranchman, and often a cowboy,

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scouring the Southwest and Mexico, and leaving very little of the Far West of that time unexplored. He had the good fortune to be interrupted again in his career, and this time by the loss of his money. He came East and took a clerkship, but the life was unbearable to him, and one day he characteristically ended it by putting on his coat and leaving the office forever. Then he began to make sketches. Mr. R. W. Gilder saw what was in him, and gave him a commission to draw the Indian and to write about him. He was still a young man, but in the shortest possible time he made his mark as the one man in the country who by his pencil could transfer the free life of the West to the pages of a magazine without loss of vitality. Thenceforward his success was rapid. He worked with great concentration and with a passionate intensity, but with many changes of scene, and "The Buffalo Hunt," "The Broncho Buster," "The Apache Trail," etc., are records of his free and vigorous genius, as they are, so far as plastic art is concerned, the most graphic record of a vanished life. Mr. Remington was the most unconventional, outspoken, and delightful of companions. At the time of his death he was working in oils, and had made such progress that his friends were looking eagerly for notable achievements in a new field. Many years ago, at a luncheon table in New York City at which Mr. Kipling and Mr. Remington were present, there was very frank talk about English and American relations which largely took the form of a duet between Remington and Kipling. The antagonists were well matched in audacity, frankness, and power of picturesque speech, and it is needless to say that the American side was sustained with an unconventionality, freshness, and force that quite matched Mr. Kipling at his best. At the close of the debate Mr. Kipling summed up the international differences in a striking sentence: "The real difference between us is climatic. We live in a climate so damp that one needs half a dozen stimulants during the day to keep his spirits up; and you live in a climate so exhilarating that a man can run across a rug in his stocking-feet and light the gas with the end of his finger."

FIVE NOTABLE AMERICANS

Last week there died in various parts of the world five Americans who should not be allowed to pass away without recognition. Mr. Arthur Gilman, of Cambridge, Massachusetts, one of those prominently connected with the founding of Radcliffe College, not a university man, but a man of letters and actively engaged in the work of higher education, died in Atlantic City. It is rather a remarkable fact that although Mr. Gilman was a college-bred man only in so far as an honorary degree from Williams can give that distinction, he will be particularly missed as a representative of the progressive educational work that has been done in recent years in this country. In Milton, Massachusetts, Carl Zerrahn died in his eighty-fourth year. Mr. Zerrahn was perhaps the earliest apostle of good music coming to this country from foreign shores. He was associated in Boston with the Handel and Haydn Society, with the Germania Orchestra, and he was a colleague of Carl Bergmann, the first conductor of the New York Philharmonic Society. He retired some years ago from active musical life, but this ought not to obscure the great services which he has rendered to Americans through the art of music. Walter Shirlaw, who died at the age of seventy-one in Madrid, belonged to the older group of American landscape painters and illustrators. His work, like that of Mr. Zerrahn, has been obscured by the great advance of younger men in recent years, but in his day he was one of the leaders in the progress of American pictorial art. He was a man of a striking personality, and possessed traits greatly enjoyed by his friends. He was the first President of the Society of American Artists when that body seceded from the American Academy of Design. Mr. Dumont Clarke, the President of the American Exchange Bank of New York City, died at his country home at Dumont, New Jersey. Mr. Clarke was of a retiring disposition, and was not associated with New York City affairs except in banking circles, in which his fidelity and judgment were regarded with the highest esteem. He was at one time an important officer of the Clearing-House. His civic interest was expressed by the fact that he served the

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village in which he made his home as Mayor for ten years, and in recognition of that service the name of that village was changed to Dumont. He was born of a banking family, and was himself a trained man in his profession. A terrible accident on the New York Central road which occurred on Friday of last week resulted in the sudden and tragic death of Mr. Spencer Trask, a well-known banker of New York. Mr. Trask was not only known in financial circles, but was actively interested in various philanthropic and educational affairs. At the time of his death he was President of the National Arts Club, an organization which has done much for the æsthetic education and æsthetic enjoyment of the citizens of New York. Many readers of The Outlook will remember the dramatic poetry of Mrs. Trask, which has obtained a wide popularity in recent years both in the United States and in England. Her two works which are perhaps most prominent are the play "The Little Town of Bethlehem" and the dramatic idyl dealing with the life of King Alfred. It often happens that a literary man is aided and supported by his wife; in this case a woman of fine literary taste and gift was loyally supported and encouraged by her husband. Mr. Trask's death was a loss to the community in which he lived. He was a trustee of the Teachers College and of the General Theological Seminary, and was also identified with important business interests.

"LITTLE TIM" SULLIVAN

A picturesque character has passed away. Timothy P. Sullivan, "Little Tim," as he was generally known, was only forty-odd years old. But he had made himself a power in New York City, and particularly in that region of the lower East Side known as the Bowery. More perhaps than any other Tammany politician "Little Tim" represented Tammany's strength. He began life as a bootblack in Theater Alley. Then he was a newsboy; then anything that came to hand. And all his education was of his own picking up. Before he could vote, his cousin, "Big Tim," Timothy D. Sullivan, got him an appointment as messenger in the State Assembly. "Little Tim" was of course slighter than "Big Tim," but he was almost six feet tall. Later he became "Big Tim's" secretary, then a district captain in the Bowery, then the leader of his Assembly District, then his admirers in the district sent him to the Assembly at Albany. They sent him back every year. But when "Big Tim" decided to go to Congress, it was necessary that a Sullivan should be "on the job" in the metropolis. So "Little Tim's" legislative activity was transferred from Albany to the city Aldermanic chamber. He dominated the Board. Last November he was re-elected for his fifth consecutive term. He was the real master of the lower East Side, and his power at the City Hall was greater than that of any other district leader. As Vice-President of the Board of Aldermen he was next in line to Mayor McClellan and the President of the Board, Mr. McGowan. "Little Tim" actually twice served as Acting Mayor. Then it was that "Little Tim" told how he would "run" New York if only he were really Mayor:

> I'd give the people what they want. The first thing I'd do would be to open up Coney Island on Sunday and not try to prevent the poor man and his family from having a little fun the only day in the whole week he had off. The second thing I'd do would be to close up a number of streets so that the children could use them as playgrounds. That would put a stop to the slaughter of children by automobiles. Then I'd proceed to make New York a home for New Yorkers. I would appoint nobody but New Yorkers to office, and get rid of the people who come in here from the outside and know nothing about the city or what it needs. If I could use any power over the press, I'd see to it that the newspaper men knew both sides of every question they wrote about, and when that was brought about I'd abolish editors and the blue pencil, so that the articles would be printed just as they are written.

In this we discern the secret of "Little Tim's" success. He was no mere "boss." He was no mere machine. It is true that he was fiercely loyal to Tammany, very likely on the feudal principle that every man owes allegiance to his overlord. It is true that he "got out the vote" by the well-known Tammany methods, and got money through politics. It is true that, when the election was won, he, with a restless and persistent energy in applying Tammany methods to their logical conclusion, got

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jobs from the Mayor and heads of departments. But it is also true that his success came not alone because of his peculiar political service; it came also primarily because of his human service. "Little Tim" followed the time-honored traditions of his clan in keeping an eye on the less fortunate of his followers, in helping the poverty-stricken, those out of work, and the distressed. He was foremost in relief, whether in sending coal or settling family disputes. He wanted to show himself not only the boss but also the best friend of his people, and he became a boss largely because he started with being a friend. This characteristic was noticeable when Tim was a little boy. The other boys used to say of him, "He's a good feller." His was the human touch. His work rests first of all on human sympathy. His warm Irish heart was no mechanical charity system. He was a kind of pastor; at all events, his was the pastoral relation. No wonder that thousands of the Bowery folk attended his funeral and wept at his loss. One can not approve "Little Tim" as a politician. But one may approve him as a pastor. And let reformers understand that they will not achieve their reforms until good men do in the pastoral relation what so-called "bad" men have done.

IN HONOR OF WILLIAM WINTER

One of the pleasant celebrations of the holiday season in New York was a dinner given by the National Arts Club to Mr. William Winter to commemorate his retirement from active work as a journalistic critic of the drama. At this dinner gathered a group, not only of Mr. Winter's personal friends, but of leaders in various fields of the city's activity. Letters of appreciation and personal addresses were made by various men of distinction. But the feature of the occasion was Mr. Winter's own address, which was written and delivered in his characteristically accomplished manner. A man who has labored, as Mr. Winter has, for fifty years in the journalism of New York with the main purpose of promoting and fostering the drama as one of the fine arts, and of educating the play-goer to enjoy and therefore to demand the best standards of dramatic representation, speaks with peculiar authority upon theatrical matters. Mr. Winter as a critic has been himself criticised for worshiping the past and disparaging the present. "Nothing," he said, "could be further from the truth."

I do, however, *remember* the past, and it seems to me that there is good reason why it should be remembered. The past is the glory and grandeur of Greece and Rome. The past in dramatic literature is Shakespeare, Massinger, Webster, Otway, Congreve, Goldsmith, and Sheridan. The past in acting is Betterton, Garrick, Kemble, Cooke, Kean, Mrs. Siddons, Booth, Macready, and Forrest. The past in poetry is Milton, Dryden, Pope, Burns, Byron, Coleridge, Wordsworth, and Tennyson. The past in novel and romance is the great Cervantes; the manly, truthful Fielding; the incomparable Walter Scott, Cooper of the lion heart, and Hawthorne, the weird magician of gloom. I mention only a few of the great representative names. You who know the storied chronicle will readily supply the rest; and those names, which are symbols, I mention only to declare that just as we should travel in foreign lands to observe and absorb the beauty to be reproduced and perpetuated at home, so we should study and remember the past, in order, by practical application of its lessons of grandeur and grace, to adorn and consecrate the present.

No English-writing critic of the period has done more than Mr. Winter to encourage and cheer the actor whose fundamental motive is the love of his profession as an art. It is equally true that no single American critic has done more than Mr. Winter to promote among the theater-going public an appreciation of excellent work on the stage, from the work of those who do their faithful best in minor parts to that of those who portray the great personages and characters of dramatic history. Mr. Winter is one of those who believe that art, even that art which is created merely to entertain, has a moral basis, a basis to which he referred in his address at the National Arts Club dinner in the following words, which deserve to be carefully remembered by the play-manager, the play-actor, and the play-goer: "And I would add that the writers who palliate theatrical offenses by quoting the great authority of Shakespeare—that the purpose of playing is to hold the mirror up to Nature—might advantageously observe his warning, which occurs in the same paragraph, that especially the modesty of

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Nature should not be overstepped—a warning which applies as directly to the choice of subject as to the manner of impersonation or the method of elocution."

A NEW SPECTACLE IN AN ANCIENT LAND

America is accustomed to great assemblies, and particularly big religious assemblies. India, on the other hand, is one of the regions where one would least expect to find a convention of the American type. It may therefore surprise our readers to learn that the Fourth Christian Endeavor World's Convention brought together forty-five hundred visitors in the historic city of Agra, India. Two-fifths of these were Christians from neighboring villages, two-fifths came from the far-flung limits of the Indian Empire, and most of the remainder were from half of the missionary denominations of southern Asia. Many of these were moved to come to this gathering partly to see the Taj Mahal, the white marble memorial which Sháh Jahán built to commemorate his wife; to gaze at the tomb, inlaid with mother-of-pearl, of Sheikh Salem Chishli, the Hermit; to watch the sun swathe the mausoleums which Jahángir built, and to wander within the fort walls; but chiefly to find there the companionship of others of their own faith. It is hard for us in America, to whom such companionship is a commonplace, to realize what such a gathering means to those to whom religion has brought isolation. Twenty-eight years ago the first Society of Christian Endeavor was established in Portland, Maine. To-day, in India, Burma, and Ceylon alone there are nearly a thousand societies. Not only India, but other countries and other continents were represented. A hundred delegates were welcomed from America. The whole body of delegates constituted an evidence of the interchurch, international, and the interracial character of the Christian Endeavor Movement. In one meeting responses were made in Assamese, Bengali, Burmese, Kanarese, Singhalese, Santhali, Gujaráthi, Hindi, Urdu, Karen, Khassia, Lushai, Malayálim, Marathi, Oriya, Punjabi, Tamil, and Telugu. Even the Tibetans chimed in with "Onward, Christian Soldiers!" in their own tongue. Dr. F. E. Clark, President of the International organization and founder of the first Society, was present and gave the presidential address. According to Secretary William Shaw, who also was present, there are three and one-half million members of the Christian Endeavor Society in the world. This occasion was, in fact, a realization of the dream of that cobbler missionary William Carey, who foresaw a hundred years ago the time when missionary stations would form a chain from northern India to Ceylon.

A HAZARDOUS EXPERIMENT

A French lawyer, M. Georges Bonjean, is reported by the New York "Sun" as about to make a very interesting experiment with young writers. Every one who is brought in contact with young men and women who are eager to write, and who show some promise, has been smitten by a desire to place them beyond the reach of anxiety and let them develop their talents without external pressure. This, at one time or another, has probably been the dream of lovers of poetry and of art generally; but longer acquaintance with young aspirants in the arts and with the educational effect of the experiences of life has persuaded most men and women that it would be a very hazardous experiment. This French gentleman has three estates of very great value, on one of which stands Fontgombault Abbey. An expert committee will select the most beautiful of these three estates, and will receive the title of it as the residence of fifty aspirants in painting, sculpture, literature, music, and other arts, who are to be carefully selected, and to be between the ages of seventeen and twenty-three. It is very much to be hoped that M. Bonjean may try his experiment; ten years of experience with young people of promise would be of immense value in settling the question whether or not it is possible to endow art by making life easy for aspirants. Confidence in the practicability of the scheme is shaken, however, by the announcement that there is to be opened in connection with it a special *salon* in Paris where the young artists will present their creations to the public. This is very like paying a man's board and clothing while he is writing a

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book, publishing it for him, and then buying it of him. Art, in its best estate, is a hardy product which often thrives under austere conditions; and it is a serious question whether this interesting scheme, if tried, will not contravene the law which makes creative work the fruit of the creative character and of vital experience.

THE OPPORTUNITIES OF 1910

The New York "Tribune" recently devoted a page to a record of the wonderful things that may happen in 1910 in the various departments of science, invention, and human achievement generally. Ten years ago such a page would have been read as one reads a page in "The Arabian Nights;" but in the light of the achievements of the last decade it was not only credible but probable. No one can predict into what new countries science will take us during 1910, what vistas of truth it will open up, what advances in human knowledge it will register, or what development of material resources it will witness.

Achievements in any one of these directions are to be counted among the prosperities of the race; but they are not the highest prosperities. Thoughtful men and women are eager for a moral and spiritual advance as commanding in its achievements and as noble in its practical results as the advances made in the other fields of life. The past decade has seen striking moral development along two chief lines—the definition of higher moral standards in business and political life, and an immense extension of the habit and practice of giving. The record of generosity in this country for 1909 probably surpasses any previous record in any part of the world. So far as this generosity was reported, the gifts to public institutions during the past year exceeded those of any previous year by forty millions of dollars, and reached the great aggregate of one hundred and forty-one millions of dollars. Three years ago these benefactions passed the one hundred million point. With the return of the wave of prosperity, American generosity has responded by an enormous enlargement of its benefactions. These gifts are all for human betterment—largely for educational purposes. It is fortunate that, as the habit of giving develops, the science of giving defines itself more and more distinctly; for with the lavishness of modern generosity there would be great danger of debilitating great numbers of people if gifts were not intelligently bestowed.

The endowment of education, not only by annual gifts from States, but by private individuals, is beginning to assume a magnitude commensurate with the wealth of the country. Never before has research had so many tools at its service or the opportunity of conducting its enormously valuable work under such favorable conditions. The equipment of science for service is one of the most impressive and beneficent facts of the day, and it is impossible to predict the benefactions that will flow to humanity from this enormously enlarged activity. This generosity extends not only to colleges, to science, to medical institutions, but also to the enrichment of the country on the side of beauty. During the past twelve months the art museums of America have received nearly five millions of dollars; the endowment of the libraries has been increased by about four millions of dollars. Nor has religion, in spite of the predictions of its decline which constantly fill the columns of the newspapers, lost its hold upon the givers of the country. Last year there was devoted to missions over twelve millions of dollars in recognition of the fact that the missionary work of the churches has never been so nobly conceived and so nobly conducted as to-day. Special gifts to individual churches and for specific religious work of other kinds amounts to nearly ten millions of dollars; and it must be remembered that these gifts which have been brought to the attention of the public are only part of a vast generosity which flows, not only in great streams, but in rivulets from all parts of the country and all sorts of people for all kinds of work.

In the presence of such a practical backing of the endeavor to make the world happier, even the pessimist must feel more cheerful; and there are those who will find special comfort in this generosity because they believe that it indicates one way out of the present economic unrest.

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POST-OFFICE REFORM

The Postmaster-General, Mr. Hitchcock, in his annual report just published, adds to the emphasis laid by the President in his recent Message on the necessity that Congress should take some action regarding the annual deficit in the Post-Office Department, which this year has reached the huge total of seventeen millions of dollars.

There are two views which may be logically held regarding the United States Post-Office. One is that it is an institution to be supported by general taxation for the good of all the people, like city sidewalks, which the rich but bedridden invalid helps to pay for but never uses; or like the United States Coast Survey, which charts and buoys our harbors, and the deficit of which—for its balance sheet is all deficit—is partly paid by the citizens of Kansas and Nebraska for the special benefit of the citizens of Boston, San Francisco, and New York. This was the view of Rowland Hill, who may be called the creator of cheap postage, and was the theory upon which the two-cent rate of postage for letters was established in the United States. Cheap postage was originally advocated, not merely as a convenience common to all the people, but on another ground of common welfare. It would prove to be, its advocates said, and it has proved to be, an effective agent for the diffusion of general intelligence and general prosperity. If the distribution of books, newspapers, and letters was seriously interrupted, not only would education degenerate, but the business of the country would come to a standstill.

There is much to be said for this view of the function of the post-office, much to be said on this ground against any increase whatever in postal rates, much to be said in favor of paying for postal deficits out of the general tax fund.

But in the present article we propose to consider the other view of the Post-Office Department, the view apparently of the President and the Postmaster-General. It is that the United States Post-Office should be considered as a self-supporting business. From this point of view the President does right in calling the attention of the board of directors of the business (that is, Congress) and of the stockholders (that is, the voters) to the deficit of seventeen millions. No money-making business is well managed that shows on its balance sheet such a deficit as that. Clearly something ought to be done about it. If the board of directors is efficient and really desires to promote the interests of the stockholders, or if the stockholders are intelligent enough to protect their own interests, they will ask the General Manager, Mr. Hitchcock, to explain the causes of the deficit and state his plans for reducing or abolishing it, or perhaps even for transforming it into a profit.

Fortunately, on these points Mr. Hitchcock is very explicit. He reports that he loses in carrying the newspapers and magazines $63,000,000 a year, in delivering mail to the farmers and others who live on Free Rural Delivery routes $28,000,000 a year, and makes a profit in letter postage of about $74,000,000 a year. The deficit of $17,000,000 a year which thus appears he thinks may be reduced three or four millions by charging the various Government departments with their official mail, for which now there is no accounting to anybody whatever—a very loose proceeding for a self-supporting business. Mr. Hitchcock's only decisive recommendation for dealing with the deficit is to increase prices, thereby probably reducing the volume of his business; he does not suggest the reduction of expenses. Is this the successful and efficient method of dealing with a deficit in a self-supporting business? It does not seem so to us.

Mr. Hitchcock says that the chief item of loss in his deficit is the $63,000,000 chargeable to the second-class postage on newspapers and magazines; that he pays the railways nine cents a pound for what he charges the newspapers and magazines only one cent a pound. His remedy is to increase largely the price of postage, from two to four hundred per cent possibly, on weekly newspapers and magazines. We have pointed out in a previous article that this would seriously cripple these periodicals. Is this the way to make the United States Post-Office successful as a self-supporting business? Is it the course that would be pursued by the general manager of a great private business?

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Mr. Hitchcock says that in the weeklies and monthly magazines he has to carry at a loss a great volume of advertising pages which he thinks are not admissible to cheap postage rates on the ground that they aid in the general diffusion of intelligence. It may be that magazine advertising is not a factor in the diffusion of general intelligence, although that question is susceptible of argument, but on business grounds alone we contend that the advertisements in the magazines and weeklies are a distinct source of profit to the Post-Office. Advertisements in the daily newspapers are addressed to persons in the immediate locality; they are designed to encourage personal calls at the shop or office of the advertiser. On the contrary, the chief object of advertisements in the weekly papers and magazines, which circulate all over the country, is to create correspondence by mail. They are very important and profitable feeders of that branch of Mr. Hitchcock's business which brings in a net profit of $74,000,000 a year. If Mr. Hitchcock wishes to reduce the profits of letter postage, one of the most effective ways would be to reduce the business of the weekly papers and magazines.

The Outlook does not ask to be carried by the Post-Office Department because it is a purveyor of general intelligence. All it asks is that some general intelligence be applied by the readers of the newspapers and magazines to a consideration of the postal deficit. These readers constitute a large majority of the stockholders who are primarily interested in the business of the Post-Office. If the United States Post-Office is to be regarded as a business enterprise, the deficit should be treated as it would be in any well-conducted private business. Wise merchants and manufacturers who are not monopolists do not increase prices until they have exhausted every honorable and reasonable means to reduce cost. Who knows but that the item of railway cost to the Post-Office might be materially reduced if an effort in that direction were seriously made? Might not Mr. Hitchcock get some useful suggestions on this phase of the subject from the express companies, which earn very large profits and pay the railways very much lower rates than the Post-Office pays?

The Post-Office Department is in some respects the most important of all the branches of the Government which are represented in the Presidential Cabinet. The domestic life of the Nation could, at a pinch, go on without a navy, an army, foreign treaties, scientific agriculture—valuable as that is—or Federal supervision of forests and public lands, but it would be entirely disorganized in a week if the Post-Office Department were suddenly abolished. Our Postmasters-General have been men of sagacity and administrative power, who have in the face of great obstacles made the United States Post-Office one of the fine governmental institutions of the world. Mr. Hitchcock will conduct it, we confidently expect, in accordance with the successful achievements and high standards of his predecessors. He has some special gifts and abilities which ought to make him one of the world's great postal experts and adminstrators. But we do not think he has yet completely grasped the idea of the economic value and the social function of cheap universal postage.

BOSTON'S EXAMPLE

If Boston prides herself on being in a peculiar sense a center of intelligent patriotism—and she has much justification for doing so—she will have an excellent chance next week to show the real stuff she is made of. Municipal elections are generally of merely local interest; the Boston municipal election on Tuesday, January 11, is of National importance for some special reasons which we shall here endeavor to explain.

A few years ago, as a result of growing dissatisfaction with graft, political jobbery, and inefficiency in municipal administration, an official body called the Finance Commission, composed of some of Boston's ablest and most public-spirited citizens, was appointed to investigate the evils, expose them, and recommend a cure. Their work finally resulted in a new Charter conferred upon the city by the State Legislature. Public opinion regarding this Charter was aroused in an interesting campaign of discussion carried on by those active in municipal reform. One striking incident of this campaign was a

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procession of members of the Merchants' Association, who marched from the Chamber of Commerce to the beautiful old State House, on Beacon Hill, led by Mr. Storrow, who is now one of the candidates for Mayor. The remarkable thing about the Legislature's part in framing the Charter was that it yielded to this public opinion and granted the citizens of Boston an opportunity to determine certain salient features of the Charter in a general referendum. There were placed before the voters of Boston, for an expression of their choice in this referendum, two plans.

Plan Number One provided for a Mayor and a large number of Councilmen to be elected by districts. Under this plan all the elective municipal officials were to be nominated by the old-fashioned political convention system. Plan Number Two provided for a Mayor and a small city Council of nine members to be elected at large, all elective officers to be nominated by petition. Thus in municipal elections the party primary and convention are practically abolished, although there is nothing to prevent the Republicans or Democrats from holding conventions in a purely extra-legal way, choosing their candidates, and requesting their adherents to sign the necessary petitions. Plan Number Two was carried by a handsome majority at the referendum which formed a part of the regular election in November, and a municipal election will be held on January 11 to choose a Mayor, nine Councilmen-at-Large, and one School Commissioner, all of whom have been nominated by petition.

The issue of paramount importance is in the Mayoralty contest. Boston is the first of the great cities of the country, although the way has been paved by smaller communities, to attempt the non-partisan, non-convention, non-boss method of electing a chief executive. If she succeeds by the use of this method in getting a Mayor who is a first-class administrator and who regards public office as a public trust, she will not only have helped herself but have helped the cause of good municipal government throughout the country. If, on the other hand, she chooses a Mayor who, like Richard Croker, is "in politics for his own pocket," the associate of corrupt contractors, and the accommodating agent of unscrupulous corporations, she might perhaps be allowed to suffer her own misfortunes without any comment from outsiders, except for the fact that she will thus give every partisan boss in the United States the opportunity of saying, "I told you so; the only way to obtain good government of cities is to have party machines and party conventions managed by party leaders."

Has Boston a candidate for Mayor who may be elected on the platform, Public office is a public trust? In the judgment of The Outlook, she has a candidate who is conspicuously of this type. There are four candidates for Mayor. One is Mr. Nathaniel Taylor (a relative of the proprietor of the Boston "Globe"), who stands for nothing in particular, has little following, and may be ignored. Another is Mayor Hibbard, a strict Republican, formerly Postmaster of Boston, an honest man of mediocre ability, who seeks re-election, but whose candidacy, if it has any effect at all, can have only the effect of insuring the success of Mr. Fitzgerald, the representative of the worst methods of the Democratic city machine. The third is ex-Mayor Fitzgerald, a politician of the Tammany type, who is openly championed by the vulgar political money-makers and secretly supported by gentlemen of eminent respectability who want special political privileges for their "public service" and "public utility" corporations and similar enterprises.

The fourth candidate is Mr. James J. Storrow, an overseer of Harvard, a partner of the influential banking firm of Lee, Higginson & Co., a member of the aristocratic Somerset Club, and yet proved by his record to be a civic Democrat of the best type. He is an executive of experience and distinguished ability, and as Chairman of the Boston School Board has consistently practiced the doctrine that public office is a public trust. He has been a leader in the movement which has culminated in the new Charter, unswerved by the fact that some of his associates, business and social, have denounced him as a demagogue and traitor to his own class. It is asserted that some of the great corporate interests are opposed to him because they know that special privileges for corporations will be a thing

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of the past if he becomes Mayor, although in private they will not question the fact that for absolute fitness he is head and shoulders above any other candidate.

We urge Mr. Storrow's election on the simple ground of general patriotism, for it will give an immense impetus to the general movement for good municipal government throughout the whole country.

In the time of the Civil War Boston's desire for a good National Government finally triumphed over her love for cotton. Next Tuesday we hope and believe that her desire for first-rate municipal government will triumph over the love of some Bostonians for dividends.

THE CONVENTION HABIT

It used to be said that the characteristic of the Middle Ages was that everybody belonged to some definite corporation or calling; that a man was born, lived, and died a peasant, a member of a guild, or a burgher in a city; and that the difference of modern life is the force of the individuality acting for himself. The pendulum is, however, now swinging back the other way. Laborers, capitalists, churchmen, manufacturers, and scholars are united in a thousand different societies, founded on the principle that the individual sacrifices part of his independence for the sake of the influence of his mass. This is especially true of the great fields of learning. In the last twenty-five years nearly all the separate arts and sciences have organized themselves into national societies, holding periodical meetings. There is in the United States a recently organized Academy of Arts and Letters, of which The Outlook has given its readers an account, and which is likely to acquire great influence; but under our system there is and can be no central academy or group of academies like those in France, recognized throughout the country as an official body; there are not forty immortals in this country, but nearer forty thousand, to judge from the membership lists of the learned societies. Of these, none are more active than the group of organizations which have been meeting in New York during the past week.

The parent of them is the American Historical Association, organized in 1884 by a small group of historical scholars under the impetus of the late Professor Herbert B. Adams, of Johns Hopkins University. The very next year Aaron's rod budded, and out of the original association sprang the American Economic Association. A few years later appeared two younger sisters in this family of societies, the American Political Science Association and the American Sociological Society; and in connection with these four organizations five other kindred societies have joined in a kind of general convention. New York is accustomed to such meetings, which commonly are little regarded outside the number of those in attendance and their friends; but this meeting made an unusual impression because of the large gathering on the opening night at Carnegie Hall, which would have been addressed by the President of the United States had Providence and the Pennsylvania Railroad cooperated; and was addressed by Mayor McClellan, Governor Hughes, and President Butler, of Columbia.

Outside of this meeting the sessions came more closely than commonly to the attention of New Yorkers, because it is the practice of these associations to hold sessions on current questions of various kinds. The old idea that history concerned itself only with the distant past, that economics was a dismal science of abstract reasoning, and that the study of government was the study of the texts of constitutions, has long gone by. In the various meetings of the extraordinarily full programme were discussed such topics as "The Control of Corporations," "Ballot Reform," "The Political Union of South Africa," "Problems of Country Life," "Valuation of Public Service Corporations," "The Situation in the Balkan Peninsula," "The Ethnic Elements in the History of the United States," and "The Effects of Reconstruction." Alongside of papers more or less formal was lively discussion, and in the assembly room of the Waldorf-Astoria representatives of the white race and of the negro race courteously set forth their points of view on the race question. This feeling of the responsibility of men of learning—professors, investigators, professional men—

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toward the community is the keynote of the great National societies which united in this remarkable meeting.

They discussed their own special topics, and it is an interesting fact that three of the four Presidents of the main societies warned their fellow-members against careless investigations and rash deductions; but the societies also put the results of their special studies at the service of the country at large. Throughout the meetings ran the note of obligation, of the interrelation of the universities, of State and local historical societies, of National organizations of every kind; and their duty to state ascertained facts and to make only measured generalizations.

Another characteristic of these meetings has been the good fellowship among the members. The main reason for the joint meetings of these various associations is in the ties of personal friendship which have been built up in the last quarter-century, and which are independent of the membership rolls of any society. Professors and students of economics are bound to know some history and to affiliate with those primarily interested in history; and the American Historical and American Political Science Associations are so near akin that even the officers are almost interchangeable, and the same man has sometimes been vice-president of both. The votaries of the historical societies in particular are, in the United States, singularly harmonious. Every economist has his own ideas on the general principles of his science, with which none of his brethren precisely agree; but the historians, while alike in their training, have many specialties, and even in the same fields are remarkably harmonious. In none of the scientific bodies of the world is there a more cordial interworking of large numbers of people.

One noteworthy result of these organizations is the considerable effect upon the public of the work of the allied societies. The annual meetings can, of course, be attended by only a fraction of the six thousand or more members of the various societies. In New York nearly twenty-five per cent were registered, but they all have a large influence which lasts throughout the year. Two of them, the Historical and Political Science Associations, keep up quarterly journals in their fields; all of them make an annual report; several have gone into the question of the teaching of their subjects in secondary and elementary schools, and three elaborate reports upon that question have been issued or are in preparation by the American Historical Association. They have established also a variety of committees and commissions, especially the American Historical Association, which has in active operation a Historical Manuscripts Commission, a Public Archives Committee, a Committee on Bibliography, and at the recent session appointed a committee to consider the question of a permanent Commission on Historical Sites and Memorials. In a word, these affiliated societies conceive that they are not only National in name, but that they have a duty to and a service for the Nation.

THE SPECTATOR

The Spectator has a vital contribution to make to the Bacon-Shakespeare unpleasantness. He flatters himself that he approaches the subject from an entirely original angle. Sweeping aside for the moment all nice and fussy points of scholarship, he puts to himself the practical question, "Is there enough left of Bacon to make a Shakespeare?" For manifestly it comes down to this. After centuries of neglect it would be poor fun for Bacon to wrest from the critics a frigid justice were it not followed up by fervid popular acclaim. And it is clear that to set up a popular literary deity you must have visible remains to worship, a liberal outfit of homes and haunts, of accessible and picturesque shrines. For a man whose life is so meagerly known, Shakespeare is in this particular singularly well furnished, starting with the birthplace, christening-font, grammar school, Shottery, and the grave. Can Bacon match him? The Spectator set himself last summer to find out. Truth to tell, he was materially strengthened in the resolution by Mrs. Spectator, at whom the Bacon bacillus has lately been nibbling. Certain from past experience that it matters little what you do in England so long as you go leisurely enough about it, he amiably consented to be

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dragged about the circumscribed map of "Bacon's England."

It began in London. Mrs. Spectator's brow clouded when she looked up the question of a birthplace. "What a pity!" she exclaimed. "If only Bacon had been discovered a trifle sooner! Some of York House was standing as late as 1863, and now there's not so much left as would support a tablet. However, there's the grand old water gate designed by Inigo Jones. We'll go see that." An obliging bus rumbled the Spectators down Tottenham Court Road, dropping them at Charing Cross, the first of the consecrated sites lying near the mouth of the Strand. Passing the unlovely front of the Charing Cross Station, they came to Villiers Street, where they stood a while in thought. In view of the excessive modernity of the business buildings stolidly occupying the site of York House, they found it difficult to get up much thrill. Mrs. Spectator hurriedly led the way toward the river, where there was more room to dilate with the right emotions; and there, its feet embedded in the gardens of the Thames Embankment, they found York Stairs—a picturesque futility, a water gate on land. There was no denying the effectiveness of the rusticated columns, the ancient pediment flanked by couchant lions. Mrs. Spectator's loyalty flamed high. She bade the lukewarm Spectator reconstruct in imagination behind it the turreted old mansion in which Francis St. Albans first saw the light, the house where later on, as Lord Chancellor, he was wont to feast poets and scholars. She was sailing on famously. Despite the paucity of architectural detail, she had developed a whole spirit palace, aviary and all, with the Lord Chancellor leaning out of the window surveying the gay river life that swept past his lawn. Was not that Elizabeth herself shooting by in the state barge, on her way from the Tower to Whitehall Stairs?—and all grown out of a gate!—when the Spectator happened to take a peep into Baedeker on his own account. Pop went the palace!

"My dear," said he, "have you any tender affection for the first Duke of Buckingham?" She shook her head. "Don't know anything about him." "Perhaps that's as well," remarked the Spectator. "But you'll have to give up your water gate. The sacred ruff and peaked hat and buckled shoes of Francis Bacon were never seen coming down these steps, upon which you have expended so much admirable rhetoric. This scroll above the gate bears the Villiers arms. It appears not to have been built until poor Bacon had lost York House and Buckingham had run up his own show place in its stead. So, if you must weep here, weep for 'Steenie.' These are his stairs."

But she was already turning away in high dudgeon. "Steenie, indeed!" cried she. But directly her spirits rose. "He was christened at St. Martin's-in-the-Fields," she said. "Anything wrong with that?" Now St. Martin's is a weakness with the Spectator. "Pure London," Lucas calls it, "with its whiteness emerging from its grime." So it was hard to tell which was the more zealous of the two as they passed under the tall columns done into startling chiaroscuro by centuries of fog. The Spectator was dislocating his intellect in an attempt to picture Francis Bacon an infant, "mewling and puking in its nurse's arms," this being the more difficult in that, try as he would, he could not succeed in divorcing the infant philosopher from his ruff! It was Mrs. Spectator who broke his reverie. "Have you any particular tenderness for the memory of Nell Gwynne? Because this is *her* church. It appears the church in which little Francis was baptized merely stood on this site. I don't like sites," she went on plaintively. "He used to leave his play to listen to echoes in a conduit in St. James's Fields. Doubtless that was a forerunner of St. James's Park, but that would be only another site, so don't let's go there."

However, the day being one of magical London mist, the park was a dreaming miracle of green and silver. The Spectators could not keep away. Manfully did they strive to image the boyhood of their hero. But surely Francis Bacon never was a human boy. They soon gave over trying to force him into the uncon-

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genial rôle, turning instead to watch the sea-gulls swooping over the dim reaches of park waters. Somehow the reincarnation of Bacon didn't seem to be getting on.

"Never mind," said the Spectator, "tomorrow we'll run up to Cambridge and see if the scent doesn't lie thicker there." Accordingly, next day the pursuit was advanced to the crooked Great Court of Trinity College. Taken trustfully, Trinity made a glorious setting for young Bacon; but a somewhat particular inquiry into dates wiped out from the picture the Hall, the bridge across the mirroring Cam, the limes and chestnuts along its brink. And the chapel was so done over that every association had fled. And Bacon himself, Bacon at thirteen! If it had been Eton, now, or Harrow, one might have conceived the embryo philosopher being birched in good old English style. But this unconscionable little prig, this fledgling critic of universities, this intellectual snob in pinafores! how wake his image from the bloodless past? The stone Bacon in the chapel, the painted Bacon in the Hall, did but deepen the suspicion that the Lord Chancellor was born at least middle-aged.

"My dear," observed the Spectator, "perhaps we should get this elusive fellow better into range if we took him at a more humanly interesting period. I don't seem to recall his romance—" Mrs. Spectator looked doubtful. "He was forty-five," said she, "when he married an alderman's daughter." "No," she admitted hastily, for the Spectator's smile was derisive, "I don't think Alice Barnham is any match for Anne Hathaway. And the church where the banns were published is gone."

Why lengthen the tale? Bacon's Whitehall, where is it? Or Bacon's House of Lords? Or the house where his mature sweetheart lived? Or the house where he died? They do not so much as know where that latter stood, nor did a better fate befall the cottage of the old woman at Highgate who sold him the fatal fowl. Westminster Hall indeed might fill with crowding memories of Chancery and the Lord Chancellor, only one never sees it without the mob of sightseers doing the Houses of Parliament. "But there's Gray's Inn," pleaded Mrs. Spectator. Gray's Inn sounded enticing. Was it not Bacon himself who planted the elms that shade that antique backwater of London? Were there not ancient rooks, descendants of those wise old birds who helped young Francis to pen his fragrant thoughts on gardens? Alas! the public is not admitted to Gray's Inn Gardens! Subsequently, having made strenuous representations, the Spectators got in. But, lo! of the trees the Lord Keeper planted not one remains. Fire has wiped out his lodgings in No. 1 Coney Court. Gone is his summer-house, gone the very mound on which it stood. Gone, too, are the rooks, driven out by benchers without souls. And the public not admitted! "There seems to be a conspiracy against Bacon," said the Spectator to his disappointed spouse. For though the noble old Gray's Inn Hall was as picturesque a shrine as man could wish, it was a blow to lose the softer, humaner relic of the garden. For here, if anywhere, in his love of growing things, Francis Bacon comes warmly within the ken of the plain man of to-day. If he might have left us some trace of his hobbies, those famous fish-ponds he paved so cunningly with colored pebbles "in figures as of fishes" seen through the clear water; or that fantastic pleasure-house at the Pondyards; or the noble old mansion at Gorhamsbury into which he built so much of himself—who knows? we might have forgiven all and loved the man. But flags and rushes choke the ponds, the pleasure-house is blotted out, Gorhamsbury House reduced to one ruinous entrance porch, and, worse, supplanted by the mansion of those modern Grimstones, Lords Verulam, not by blood, but by wealth and the whim of George III. No "Bacon's Walk" under the glorious old trees in the park! No treasured memories of favorite views and nooks. "Mrs. Spectator," the writer found himself saying, sententiously, "acrostics or no acrostics, and not forgetting the church, where Roman specters elbow Lord Verulam into a corner, it is simply *too late* for Bacon, anyhow."

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Lords and Commons

The Most Dramatic Scene in the Battle of the British Budget

By Ralph D. Blumenfeld

Editor of the London "Daily Express"

A SCENE beyond the power of descriptive writer or stage manager. A scene destined to go down in history, to be spoken of, read about, pictured on canvas, on panel, and on glass. A scene almost unequaled in the stirring story of the English people. Not since the formation of the House of Lords from the Witan of Saxon times, not even when the Barons at Runnymede forced King John to sign the Charter which made England free, has the House of Lords experienced anything more dramatic. Not in all that long period of strife and struggle and maneuvering for mastery, the debates by word of mouth and the sterner resort to the sword, has there been anything to compare with the scene which I am about to describe. The great crises of 1831 and 1860, when the Peers answered the challenge of the Commons and contemptuously flung back, first, the Reform Bill, and, second, the repeal of the paper duties, were almost mere incidents. To-day the Lords take up the cry: "Let the people decide. We trust them. You, the House of Commons, do not represent the will of the people. You represent an election cry, false, tricky, unscrupulous. Your majority is an accident. If the people want Socialism, if they demand that industry, thrift, and enterprise shall be spoliated, well and good. Their will shall prevail. But we, the Lords spiritual and temporal, will not assent to your demands until the people have spoken. Let the people decide!"

Thus the motive. Now for the setting of the piece. A long, narrow, vaulted chamber, gilded and emblazoned, lighted by magnificent electroliers, resembling no other room that I have ever seen, unless it be the chamber of the Commons across the corridor. Like its humbler sister, it is not capable of seating all its members. At one end is the throne on a dais. In front of the throne is a round, sofa-like arrangement known as the woolsack, on which sits the Lord Chancellor, the presiding officer. On the right, long rows of red leather benches rise one above the other to the ceiling. The right is for the Ministerialists. On the left are similar rows of benches for the Opposition. At each end of the room and facing each other are half a dozen short benches. These are the cross benches, used by members of the royal family, the soldiers and sailors, and others who owe no allegiance to either party. Over and above all these, and right around the chamber, are the narrow galleries for peeresses, diplomats, distinguished and undistinguished strangers, and journalists.

Ring up the curtain and let the great drama begin. The Liberals call it "the Battle of the Peers against the People." The Conservatives call it "the Peers as the Champions of Liberty."

The chamber is crowded as it has never been crowded in all its history. The throne, which is outside the bar of the House, as signifying the King's constitutional severance from participation in the deliberations, is empty. But on its steps, packed tightly together, sits a motley crowd of commoners, Privy Councilors, Ministers, sons of peers, and other persons privileged to appear beyond the bar. Among these is Mr. Asquith, the Prime Minister, anxious, tired-looking, silently meditating on the turn of the wheel of Fate. Which way for him and his followers? Beside him sits Mr. John Burns, erstwhile demagogue, strike leader, workingman agitator, Member of Parliament, Cabinet Minister, Privy Councilor—a man no longer acclaimed by the mob as a leader. Office and responsibility, coupled with opportunities for intercourse with lords and dukes and landed gentry, have

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estranged him from the proletariat, and, though he continues to sit in the Liberal Cabinet, he is the only Minister who has not defended his colleague's Budget. We shall one day see this workman's Moses blossom out as a full-blown Tory, with perhaps a seat on those very red benches upon whose aristocratic occupants he gazes now with a not unkindly eye. And next to this son of the people on the steps of the King's empty throne sits Winston Spencer Churchill, grandson of a duke, a smile on his curved lips as a noble speaker turns towards him and speaks of "the rhetorical rotten eggs" that have been used in the campaign by some of the more ardent spirits on the Liberal side—meaning Messrs. Lloyd-George and Churchill. He fights hard, giving no quarter and expecting none; and he has the chivalry to congratulate his first cousin the Duke of Marlborough on a particularly hard-hitting speech against himself.

All around the King's throne crowd these men as the scene opens. The galleries are occupied to the very last inch of breathing space with a tightly packed single line of peeresses leaning over the gilded railing, surveying their lords and masters as they make history. King Manuel of Portugal, accompanied by his Minister, the Marquis de Soveral, is an interested spectator. In the diplomatic gallery are Mr. Whitelaw Reid and the French, German, and Spanish Aambassadors; in the distinguished strangers' gallery, a couple of Chinese dignitaries, looking at a scene as strange to them as anything can possibly be. Far down below sit five hundred men of all ages, all degrees, all possible walks of life—all peers of the realm: men great in science, in art, in discovery, in war, in politics, in statecraft; men whose names are known throughout the civilized world, administrators, fighters, leaders, thinkers. There are men whose ancestors fought at Agincourt, at Crécy, at Ramillies, descendants of Crusaders, Normans, and English; and men whose grandfathers were laborers.

The Opposition side, row upon row, is full. Every place is taken. There is no more room. All the "wild men," as the Radical papers prophesied, "have come to London to defend their selfish interests. They never come to London unless their order is threatened. Then these wild ones who are out of touch with the modern world—these fox-hunting, pheasant-shooting, horse-racing, champagne-drinking barons of the soil who grind the faces of the poor—then they come to town." The suggestion is a trifle bizarre, and is fitted, of course, to the temper of the partisan time; but, whatever the motive, there they are, all the peers from far and wide, sitting tightly together, prepared to vote against the Finance Bill, which their leaders tell them is the entering wedge of Socialism. You can see the red gaps on the Ministerial benches where there are no Liberal peers. The Liberals complain that this is unfair. They demand loudly that Mr. Asquith shall make good the disparity in numbers by creating new peers, so that there shall be as many Liberal lords as Conservatives, or more. But, unfortunately, experience has shown the base ingratitude of most Liberals who have had their blood changed from red to blue, for no sooner have they been translated to the upper house than a slow but sure metamorphosis sets in, and in a year or two they become the most Tory of Tories. On this occasion, however, the Liberal side actually looks as if its members had remained true to their early enthusiasms, for those Tories who have not found room on their own side give the Government benches the air of an almost fair division of numbers.

On the cross benches are the Duke of Connaught, the King's brother, who owes no allegiance to Liberal or Conservative, but who probably has private reasons for not thanking his Liberal masters for depriving him of the highest post in the army. Beside him sit Lord Roberts, the hero of Kandahar and Pretoria, aging rapidly; Lord Cromer and Lord Rosebery, of whom hereafter. It is time to open the historic debate, and all eyes are on the woolsack. Here sits a tall, stout man in a full-bottomed wig, a large three-cornered gold-bound hat atop of it, a flowing silk and silver robe over his shoulders, black silk stockings on his substantial legs, and huge silver buckles on his patent-leather shoes. For once there is an absence of joviality on the great rubicund face of the Lord Chancellor. He squats there, reminding one for all the world of Tenniel's

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picture in "Alice in Wonderland." He is Lord Loreburn, otherwise known as "Bob" Reid. In his youth he was a famous college oarsman; later on, a more famous lawyer; and now he is the presiding peer, the head of the British law, patron of endless church livings, and dispenser of all the fine, lucrative law jobs which centuries of English lawyers who make the laws have, in their wisdom, provided. He turns to his side, where, huddled together like a herd of white lambkins, sit the lords spiritual, the bishops, in white and black, with great, billowing sleeves. At their head is his Grace the Archbishop of Canterbury, who outranks the Dukes in the order of precedence. One of the bishops utters a prayer. Then steps forward a tall, handsome, well-dressed, young-looking man of fifty, hat in hand. A murmur of surprise, for hat in hand signifies, according to the traditions of the House, that the owner of the hat does not intend to make a speech, and this man in particular is expected to hurl forth thunder and lightning at the "wild men." For he is none other than the Earl of Crewe, leader of the House of Lords, spokesman of the Government, in which he holds the great post of Secretary of State for the Colonies. Lord Crewe, as I have said, is a handsome man. He is more. He is perhaps the most distinguished-looking in a house full of distinguished-looking men. The peeresses in the gallery lean farther over, the Portuguese King stands up, the crowd of Privy Councilors in front of the throne close up against the bar. "I move the Finance Bill be read a second time." That is all he says, and, returning to his front bench seat, puts on his hat and sits down. It is the first sensation in a sensational conflict.

The Opposition leader, who had expected a two-hour speech in which the vulnerable points of the Liberal armor were to be laid bare to him, is taken unawares. But only for a moment. Then he rises. A squarely built man, long of nose, keen-eyed, quick in thought and action, is the Earl of Lansdowne, descendant of Irish kings—real Irish kings this time—diplomat, statesman, scholar, a fighter of old. But the coat of mail and the two-handed sword, the helmet and the shield, have disappeared. He stands there in the middle of the room, dressed in a frock coat, patent-leather boots, and all the other appurtenances of modernity. His voice is hoarse, for he has been ill; but it is strong enough to be heard throughout the chamber, and thence throughout the world. Lord Lansdowne is descended from a great Whig family. He was bred in the traditions of the old and sound Liberalism. Some of the members of this family remained Whigs and became present-day Liberals, as, for instance, his brother Lord Fitzmaurice, who was recently a member of the Liberal Government of to-day. It is strange to remark the extent and the rapidity of the evolution of political parties in recent times; the former Whig, now calling himself a Liberal-Unionist, actually leading the united hosts of Conservatism against his former colleagues. "This hotch-potch of political legislation" is his term for the Budget, which he advises his followers to send back to the House of Commons with the advice that it shall be referred to the people—in other words, that there shall be a general election in order to test the desire of the country on this point, and the tariff as well. There is never a demonstration in the House of Lords. Its serried ranks forbear to cheer. A member, or two, or three, or all of them, may ejaculate "Hear, hear," and that is put in the next morning's papers, in parenthesis, as "Cheers." So this masterly survey of the Government's finance measures, lucid and searching, with occasional flashes of wit and many brilliant passages that may be read as literature, ends with the words, "Have we considered the consequences of rejecting this bill? Aye, we have, and we are ready to face them." "Hear, hear!" mutter three hundred and fifty dukes, marquises, earls, viscounts, and barons. It sounds like "Yah, yah!" In a public hall these three hundred and fifty peers, the people in the galleries, women included, the crowds at the bar at both ends of the house, would have risen "as one man." They would have shouted long and wildly to give vent to their pent-up feelings, played on so long by this master of speech. But remember, we are in the House of Lords. We mutter "Yah, yah!" and the "Times" to-morrow will

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call it, in parenthesis, "loud Opposition cheering."

Lord Lansdowne is followed by the Lord Chancellor for the Government. It always comes as a mild shock to see the Speaker of this august assembly stepping out into the arena to make a party speech. But the occupant of the woolsack is always a partisan, else the famous Reform Bill speech of Lord Chancellor Brougham (the inventor of the carriage of that name) could never have become historical. Lord Brougham delivered an impassioned harangue in favor of the Reform Bill. "On my bended knees," he pleaded, "I beseech you to pass this bill," and, suiting his action to the word, he got on his bended knees. Unfortunately, Lord Brougham had been fortifying himself considerably with mulled port, and, with the best will in the world, it was impossible for him to get up again. So they picked him up from his marrow-bones and set him on the woolsack again. Mulled port is out of fashion and Lord Loreburn is no drinking man, so he merely reads a well-thought-out pronouncement stating the Government's case, containing the veiled threat that if the Budget does not pass, the House of Lords will. Three hundred and fifty Tory peers sniggle. This will appear in the morning as "ironical Opposition cheers." But the effect on the Liberal M.P.'s standing at the bar is electrical. They all rush out and telegraph to their constituencies that the Government means war to the knife against the peers. Then they come back and jostle for favored places like so many school-boys. They find that the Lord Chancellor has resumed the woolsack (unassisted), and that his predecessor, Lord Halsbury, is speaking. He is an octogenarian lawyer, a stout partisan, with the mind and spirit of a man of forty, and a brilliant one at that. His argument in favor of rejection is not new, but it serves to prove the oft-repeated assertion that Lord Halsbury is the clearest thinker and most convincing pleader—even at his age—in this country. Next, his Grace the Duke of Norfolk, Earl Marshal of the Realm, secular head of the English Roman Catholics, black-bearded, squat-shouldered, resonant-voiced. Not an orator nor a profound thinker, but a man of vast influence and vast estates. He is one of the Tory landlords who "batten on the poor"—a mild, kindly spoken, charitable peer. He is against the Budget. Following him is Lord Welby, a man who has spent his life as a Treasury official, wrapped round and round with statistics to prove that the Budget must pass or there will be financial chaos. A buzz of conversation, including a dialogue on the woolsack, adds to the fog which has crept in from outside and has been thickened by the noble statistician's droning voice. Some "wild men," including Lord Revelstoke and Lord Ribblesdale, great financiers, for and against, have their say. It is evening now. The ladies of the afternoon have been replaced by others in full evening dress. The scene is more brilliant. A bishop (the prelate of Birmingham) talks Socialism, and another bishop ("Old Brown" of Bristol) retorts vigorously. Lord Willoughby de Broke, a descendant of a Norman crusader, orates against the tyranny of the Commons, and all go home.

So the second act begins on the next day with the same setting. Lord Cromer takes the leading rôle. He is the man who has made Egypt what she is. When he went to the land of the Pharaohs as English adviser to Tewfik, the fellaheen were little better than slaves. Poverty stalked through the land. Crops failed, credit was bad, disease spread havoc along the Nile. Young Baring—he is a member of the famous banking family, originally Germans—took financial charge. Firmness, judgment, character, a gift of administration, have borne fruit in Egypt. The natives have become comfortably off and have had prosperity enough to begin to talk sedition. The uncrowned ruler of Egypt for a quarter of a century comes home to rest on his laurels and to find diversion on the red benches of Westminster. But England is not Egypt, and Lord Cromer finds himself out of touch with the trend of affairs. He has dealt with Orientals, and now seeks to deal with Englishmen as if they were not Englishmen. So he declaims against the Budget, but with strange logic pleads that it shall not be rejected! He fears the consequences. His speech pleases neither side, and he sits down without even the satisfaction of an ironical cheer. Follows

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Lord Avebury, whom you perhaps know more familiarly as Sir John Lubbock, great banker, great thinker. He has written "The Pleasures of Life" and other fascinating books which will live for centuries, and he is the head of a famous bank. He says: "No finance bill until the present one has ever been met by a collective protest from the bankers and merchants of the city of London." It is spoken in a thin, high-pitched voice. The diction is perfect, the delivery execrable. But I have gone far enough to prove the soundness of Blackstone's theory of the British Constitution: "The King represents power, the Lords wisdom, and the Commons good intention." Wisdom certainly sits on the red benches—the collective wisdom of experienced men of business, science, letters, the law, and of men who have ruled vast territories. There are, of course, those who have no claim even to mediocrity, but they do not signify, and their number is exceedingly small. They do not find Westminster congenial, and so remain absent. Minor orators appear. They all want to speak. The pressure on the whips for permission to go on record as having spoken for or against the Budget has never been so great. Time is precious, and the whips are men of tact. Only the elect find themselves going down to posterity as having participated in the great battle.

Let us pass over the historic names of the protagonists—Earl Carrington, Liberal Minister of Agriculture, grandson of a man who rejoiced in the plebeian name of Smith; the Duke of Marlborough, clever, incisive, witty; the Marquis of Salisbury—a young man bearing no resemblance to his father, the greatest of the Cecils, but still a fine speaker; Earl Russell, grandson of the famous statesman, a sentimental Socialist in great goggles and of bucolic appearance; Earl Beauchamp, a pro-Budget descendant of warriors; Lord Lytton, the æsthetic grandson of the great Bulwer-Lytton; and others. Let us come instead to the third day, to Lord Rosebery, Orator of Empire. Lord Rosebery said at Glasgow, "This Budget is a revolution." We expect him to say it again to-day. He says it again—but, alas for the inconsistency of all things Roseberyan! he plays havoc with the prophets. Like a hunter that refuses to take the fence, he dashes up valiantly—and then turns back. It is the great scene of the play. The house is hot and anxious. Sentence after sentence of brilliant oratory is fired into the breach. It is a grand speech. The orator is inspired. His voice, rich, strong, musical, like a cathedral organ, fills the chamber, thrills his hearers. He plays on the emotions with the skill of a great artist. But he can do the same when he speaks of cabbages or perambulators. As an oration it is superb; as a political speech it is pathetic. The little white-haired man with the round, ruddy face, the blue eyes, the smiling mouth, is merely talking talk. He ends with a perfect stream of brilliant epigram, but he pleads that he cannot vote against the thing that he condemns. And the House settles down to a long-drawn-out sigh. A cold, clammy hand has passed over it. The lights seem dimmer, the fog, unbidden from the outside, seems more dense. A great thing was expected. The mountain in labor has brought forth a mouse again.

It is Lord Milner who causes the blood to flow once more. He has a tall, thin, uninspiring figure, a hard, straight gray eye, a passionless voice, but with a sledge-hammer mind behind it. The man most hated by his opponents and little understood by many on his own side, but still the greatest imperialist in England, resumes the fight and cries: "No surrender. Damn the consequences!" He clutches the lapels of his frock coat, in the manner of Arthur Balfour. He looks the Chancellor between the eyes. He uses short, crisp English words, understood by the multitude—no fireworks, no florid style. "Let the people decide" is the burden of his argument; and when he sits down, the crowd of ladies in the gallery almost forget the dignity of the House of Lords, for some of them clap their hands.

The proceedings draw out over the week-end. Noble lords rush to the countryside to pot at pheasants and refresh their lungs with pure air. On their return they are confronted with Viscount Morley—"Honest John"—looking unfamiliar in these gilded halls. As Mr. Morley he sat for twenty-five years in the Commons. A great editor and a still greater

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historian, a student and thinker, the only survivor of the old Gladstonian cult; unromantic, philosophic, mid-Victorian in appearance, manner, and speech, he is a literary giant in atrociously ill-fitting clothes. His hat is too large for him, his trousers bag at the knee. As if in compliment to the great Cromwell, whose "Life" he has made familiar to all the world, he wears square-toed boots. As one of his Majesty's Ministers of State—he is Secretary for India—he must naturally defend the Budget. He leans over the table, and, with a voice ill concealing his feeling, cries out to Lord Lansdowne, "Your motion is a gambler's throw."

Then steps forward a gray-bearded, heavy man, plainly dressed—Lord Rothschild. He has not spoken in the House of Lords for many years. He speaks now with diffidence and much restraint, but he is listened to with as much attention as the House listens to Lord Rosebery; for he is the representative of England's commercial greatness, the unofficial head of the maelstrom of finance, the City of London, and he is the only intimate friend of Beaconsfield alive. Lord Rothschild hides a golden heart beneath a gruff manner, but this is because he is so overwhelmingly kind-hearted that he forces himself almost to rudeness. He is as gruff with a prince as he is with the first broker that dashes into his office in St. Swithin's Lane. He speaks of the capital that has been driven out of the country by the Government's Socialism, of the thousands of small investors, of the friendly societies who are hit by its financial jugglery. "The City believes that the Budget will undermine credit and confidence. . . . Since peace in South Africa British securities have fallen, while after peace in the Far East Russian and Japanese have improved." It is the warning of a serious man of business who scorns to make a political speech.

Another Jewish financier, Lord Swaythling, formerly Sir Samuel Montague, a patriarchal nobleman, contends for the Liberal Budget. He denies Lord Rothschild's statements. Then a long list of first-rate speakers on both sides: Lord Midleton, a former Minister; Lord Dunraven, who failed to "lift the cup;" Lord Ampthill, an ex-Indian administrator; and then Lord Curzon. "George Nathaniel Curzon, a most superior person"—that was the jingle at Oxford when he was its leading undergraduate. To-day he is Chancellor of the great University, an ex-Viceroy, and who shall say what he yet will be? He was born to greatness. A proud, exclusive man, almost a recluse since his return from India, a scholar, an orator, and a statesman, looking still like a young man of thirty. His father, the Earl of Scarsdale, sits near him—both are peers of the realm, the father by inheritance, the son by creation—and proudly watches his brilliant heir. It is a fine speech, delivered with that beautiful voice that has made a Curzon speech ever welcome.

There is a rustle among the lawn sleeves of the episcopal bench. The Archbishop of Canterbury had declared the neutrality of himself and the majority of his brother prelates. But here steps forth from the bishops a new figure, a mere youth in the vestments of a prince of the Church—the Archbishop of York. He is a little over forty, and he is a man of mark, a Christian Socialist whose Fabian sympathies are not disguised by word-juggling. He has never addressed the House before, for he has only recently been elevated to his present great dignity. He steps boldly forth and delivers a speech in favor of the Budget, strong, stirring, trenchant, and exquisitely expressed. He is a new force to be reckoned with. The House, he declares, has no right to reject or amend a money bill. That is the prerogative of the Commons.

There is now only time to wind up the six days' debate. Lord Cawdor, a business man, railway magnate, ex-First Lord of the Admiralty, makes a fighting speech as a final fling of the Unionists. Lord Crewe, the leader of the House, has the last word. It is long, unimpassioned, telling nothing new. He concludes with the threat that the Liberal Government can never take office again unless there are guarantees that the Lords shall be made amenable. That is his peroration; whereupon he sits down abruptly.

Now comes the historic division. There is intense, suppressed excitement. The Lord

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Chancellor rises from the woolsack. He is so hemmed in by the peers that he has difficulty in making himself noticeable. He puts the motion and the amendment. There is a sudden hush. "The question I have to put is that the words proposed to be left out stand part of the question. As many as are of that opinion say 'Content.'"

A low murmur of "Content!" is raised from the seventy-five Liberal peers. "To the contrary, Non-Content," proceeds the Chancellor. Three hundred and fifty Unionists cry, "Non-Content!" The recognized practice of the Speaker is to accept the "Contents" in order to force the division, and so the Chancellor says: "I think the 'Contents' have it," knowing, of course, that this is not true. A second time this farce is enacted. Then the division is taken. Whips with white staves run in among the peers like sheep-dogs in the herd. Contents to the right by the throne, Non-Contents to the left by the bar. The great assembly rises and goes into the division lobbies. The Liberals are soon counted, and their whips return. But it takes a long time to count the Unionists. For half an hour, close to midnight on Tuesday, November 30, the voting proceeds. Big Ben outside is just booming the hour of midnight when the four whips walk down the aisle. The Unionist whip, Lord Waldegrave, hands the Chancellor a paper. He stands up, adjusts his glasses with trembling hand, and reads:

"Contents, 75.
"Non-Contents, 350.
"So the Non-Contents have it."

Big Ben rings slowly. The last stroke of twelve is echoing to the accompaniment of a slight cheer among the lords. A few groans and hisses are heard from the galleries. The play is over. The peers and peeresses go out into the deserted street, where squads of mounted police have cleared away the crowds. Farther on they encounter the fringe of the driven people. Many cheer, some groan. It is now December 1.

Mr. Asquith, the Prime Minister, goes to see his Majesty the King to-day. The die is cast. The "Revolution" has begun.

SONG OF ROSES

BY KATHERINE HALE

O singing Youth, thou wert to me
A pink rose of expectancy!
Laughing I laid thee on my breast,
All radiant of Joy's bright quest.

Therewith, on the appointed day,
Came Life to meet me on the way;
A gold rose gave into my hand—
The seal of strength to understand.

Then, like some wide transforming morn,
Soul signaled soul and love was born,
And Youth that laughs and Life that knows
Melted into one crimson rose.

. . . . . .

Now God alone can make complete
This little garland soft and sweet,
And give me Death's white rose of light,
Forever fresh, forever bright,

That I may bind with cool green leaves
The flowers of Life with Death's pale sheaves,
And send them, stripped of thorn and rue,
Perfect and passionless—to you.

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Business vs. Politics

The New Régime in the New York Custom-House

By Lyman Beecher Stowe

THE popular reputation of the new Collector of the Port of New York places him somewhere between an iceberg and a sphinx. William Loeb, Jr., is, in fact, an enthusiast in disguise. Well disguised, doubtless, to the casual observer. Yes, behind his mask Mr. Loeb is an enthusiast, an optimist, and a fighter. Before he has finished his war against the Augean foulness which has for decades been accumulating in the New York Custom-House he will need all his enthusiasm, all his optimism, and all his fighting tenacity.

He took office March 9, 1909, as the foe of the great system of corruption which has been described in these pages in "The Case of the Seventeen Holes" and "Robbing the United States." He knew the situation, he had definite aims to achieve, and a definite plan by which to achieve them. These were the aims:

First, by securing the conviction of as many guilty importers as possible, so to alarm others that they would no longer dare to seduce and corrupt Customs officers.

Second, to convict as many as possible of the higher guilty Customs officials, thereby incidentally proving to the minor men that their superiors are powerless to protect them from the consequences of their guilt.

Third, to surround the work with such safeguards that thieving will be so difficult and dangerous as to offer but slight temptation to such men even as would not scruple to steal under favorable conditions.

Fourth, to cut out "politics" (which used in this sense means the illegitimate use of any outside influence), root and branch, and to substitute push and the *esprit de corps* which comes of honest achievement honestly rewarded for pull and the inverted *esprit de corps* of political favoritism.

Fifth, to demonstrate that it is possible to run a great Government office as cleanly and as efficiently as the cleanest and the most efficient of private enterprises, and so by the power of example to raise the tone of the whole Government service.

Like most other full-blooded men of courage and power, Mr. Loeb is not an unmitigated altruist. He wants to make a big record for William Loeb, Jr. He wants to show that William Loeb, Jr., can do other things well besides play faithful watchdog to a great American statesman. This ambition is not official.

Mr. Loeb's aims are nothing if not ambitious. Most people will say they are impossible to realize. That is what "most people" always say. Their realization would most certainly be impossible were it not that Mr. Loeb has the whole-hearted backing of his official superiors, Secretary of the Treasurer MacVeagh and President Taft. The President has said to him in somewhat these words: "Go ahead, my dear fellow, and do what you think right, and be assured that the men who want what doesn't belong to them will not be permitted to interfere." Secretary MacVeagh has given him many similar assurances. He hence feels confident of support from "higher up." By vigorously sifting the chaff from the wheat, he is winning support from "lower down." If he should fail to hold the backing from either quarter. he would be ground between the upper and the nether millstones and his reforms would come to naught.

The organization of the New York Custom-House would seem to have had as one of its purposes the setting by the ears of its chief executives. There are four big officials, all Presidential appointees, and hence substantially independent of one another. There is the Collector, in general charge of the port; the Appraiser, upon whose appraisals the whole fabric rests; the Naval Officer, whose title comes down from Colonial days when a British naval officer was stationed at the

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port to see that the British Government received its share of the revenues collected (his duties are now those of auditor); and the Surveyor of the Port, who is described as the outside executive of the Collector. It is probably sound policy that the Naval Officer should be independent of the Collector and directly responsible to the Secretary of the Treasury. It is certainly less obvious why the Appraiser should be independent of his titular superior, and it is an absurd anomaly that the Surveyor should be to a great extent independent of the superior officer whose orders he is supposed to execute. If the Surveyor sees fit to carry out the Collector's orders, well and good. If he chooses to disregard them, the Collector must grin and bear it. He can neither discharge nor reduce him, nor in any other way enforce obedience. Suppose the general manager of a factory had no means of making the superintendent carry out his orders! That would be a parallel case. Conversely, this ingenious relationship works hardship to the Surveyor. He is in charge of a great force of men, ranging in degree from laborers to deputy surveyors, yet he cannot discharge, promote, reduce, or transfer a single man without securing the permission of the Collector. This gives the Surveyor the unhappy combination of great responsibility and slight authority. The arrangement has borne its legitimate fruit. Collectors and Surveyors have generally quarreled within the first few days, refused to speak to each other within the first few weeks, and after that carried on a household war, the one against the other, until the close of their terms. It speaks well both for Collector Loeb and Surveyor Clarkson that they have not followed these unfortunate precedents. They happened to be friends at the outset, and their friendship has, at least outwardly, withstood the strain of their anomalous official relationship. General Clarkson's term expires about April 1, 1910. It is to be hoped that his successor will be a man over whom Mr. Loeb can successfully exercise moral suasion. From the common sense point of view, unfortunately not always coincidental with the political point of view, it is not obvious why the Collector's orders should not be carried out by a Deputy Collector of his own selection. This is what Mr. Loeb advocates.

Mr. Loeb has nothing against old men, but he does not believe in paying them for services which they are no longer able to perform. This belief may be a truism in private business. It is original to the point of being revolutionary in the Government service. It has been estimated that thirty to forty per cent of the employees of the United States Government are absolutely unable, by reason of their advanced age, to perform adequately the services for which they are paid. Mr. Loeb found the Custom-House liberally provided with these veterans. With one fell swoop he reduced all such employees to the civil service grade of laborers. He then reassigned them here, there, and everywhere to such light work as they could properly perform and to the pay which such work carried with it. A large number were given some purely clerical duties. A few who were too old to do anything he discharged—very reluctantly, but what else could he do? This wholesale action Mr. Loeb performed in strict accordance with the Civil Service Law, and his action had the full approval of the Civil Service Commission, of the Secretary of the Treasury, and of the President. Many, perhaps most, of these old men were veterans of the Civil War—members of the Grand Army of the Republic. It does not require a deep student of American politics to know that it takes courage to offend, or even to run the risk of offending, the Grand Army. Politically speaking, Mr. Loeb walked right into the lion's den; the lion roared and showed his teeth, but Mr. Loeb walked out again unharmed. While his object in doing this was, of course, to make more efficient the Customs service, he nevertheless saw larger benefits which should result. He knew that Congress would never seriously consider the matter of Civil Service pensions so long as the chief administrative officials of the Government allowed old men to encumber the positions which they once had filled and to draw the pay which they once had earned. The whole Civil Service system threatens to break with the increasing weight of the aged and no longer efficient. Until Mr. Loeb's action no one had dared to take the first step.

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Several other administrative officials in other branches of the Government service have already followed his example. For the first time, the question of making some provision for civil servants who have spent their lives in the service of the Government with pay too small to admit of appreciable savings may now be effectively urged upon Congress.

Mr. Loeb has entirely reorganized the graft-ridden Weighing Division—the heart and center of the Customs frauds. There are about one thousand men in the Division—almost half the entire force in the New York Custom-House. The System, or the close corporation between bribing importers and corrupted Customs officers, already described in The Outlook, was confined to this Division. The Port was divided into five weighing districts, with a United States Weigher in charge of each district. Each weigher had an office at a comfortable distance from the docks. Under the weighers were foremen who were supposed to supervise the work of the Assistant United States Weighers who did the actual weighing on the piers. It is difficult to discover the theory of operation for this organization. In practice it worked as follows: The United States Weighers used their offices in which to doze, to smoke, and to entertain their friends, while their foremen did their work for them. As almost all the foremen were members of the System, their supervision of the assistant weighers naturally consisted chiefly in collecting their share of the plunder. As a result, assistant weighers, both honest and dishonest, were left to their own devices. Most of them conducted themselves exactly as would any ordinary men when left practically unaccountable and unsupervised. They came to work late and went home early. Although their hours were from 8 A.M. to 5 P.M., the importers found it impossible to get goods weighed before 9 or after 4:30. The importers also came to realize that there was "nothing doing" Saturday afternoons, as all the weighers then gave themselves an unofficial half-holiday and went off to horse races and ball games. These were the conditions under which these men were working, men whose position at best is one of peculiar temptation.

Of the five United States Weighers Mr. Loeb found that three were crooks and pillars of the System, another was honest but too timid to expose the dishonesty going on about him, while the fifth was honest and ignorant of the frauds. The three crooks he discharged and turned over to the District Attorney to indict if possible. The intimidated honest weigher he discharged for his cowardice. Negative honesty is not what Mr. Loeb wants. The other honest weigher—whose discovery of the frauds after being hoodwinked for years has been already described in The Outlook—he retained. As the position of United States Weigher was statutory, he had to retain at least one incumbent. He later discharged "for cause" the deputy surveyor in charge of the division, and the chief clerk. With the System laid bare, these responsible officers naturally stood convicted by circumstance as being either knaves or fools. He has also discharged "for cause" thirty-four assistant weighers, ten inspectors, twenty-one watchmen, and so on. All told, he has discharged "for cause" ninety-two officers and employees. Among the discharged is a woman. She was an inspectress. She regarded her job as simply a "soft snap," and she did less and less, but she kept right on drawing full pay. Mr. Loeb directed that she should work every day, and just the same number of hours as did all the other inspectresses, and that unless she at once gave a full day's work for a full day's pay she would be summarily discharged. This warning she condescended to notice. She told the Deputy Surveyor who transmitted the order to her that he dared not report her and the Collector dared not discharge her because she had the friendship of a certain powerful newspaper. If he should discharge her, the batteries of that paper would at once be turned against him. When she realized that her soft snap was gone, she resigned. The paper in question began its attacks upon the Collector shortly afterward. If mere coincidence, it must, at any rate, have been very soothing to the wounded feelings of the former inspectress. The District Attorney has already found indictments against five of the discharged employees. There are undoubtedly more to come. But Mr. Loeb counts not so much on weeding out the bad men as upon

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strengthening the hands of the good men. Nor does he propose that the honest new men shall be thrown unguarded amid the same temptations which ruined their predecessors. He is endeavoring to promote the integrity of the service by making character a prime necessity in all his appointees to responsible positions.

There are now eight weighing districts, each in charge of an acting United States weigher. He has no office in which to sit cozily with his friends. He has no foreman to do his work for him. He must constantly supervise the actual weighing on the docks. A Deputy Surveyor is liable to appear at any and all times to supervise the acting United States weigher and to see that he is properly supervising the actual weighers. All these men are transferred frequently and at irregular and unpredictable intervals. Even should an importer now succeed in bribing a weigher, he would not know where to find him from one day to the next. There can now be no old-time safe and sound arrangement "to do business at the old stand" year in and year out.

In the gentle art of weighing lemons there was rich graft. The shrinkage on lemons varies widely during the voyage, in accordance with their degrees of ripeness when packed. This applies to some other fruits as well. In the weighing of fruits the weighers estimate the weights of the consignments from the weight of a certain specified proportion which they actually weigh. Now, by judiciously selecting the boxes to be weighed it was possible to make the consignments conveniently light without actually underweighing anything. Under Mr. Richard Parr, the discoverer of the sugar frauds, whom Mr. Loeb has made Deputy Surveyor in charge of the Weighing Division, this little game has been stopped. The importers are now obliged to indicate all the differing grades of cases and boxes in a consignment. Then the proportion weighed upon which is estimated the total weight has to be made up in equal part of every differing variety. There is then stenciled on each box both its grade and its weight. Thus an individual box can at any time be traced and reweighed. This makes the danger of detection too great to be undertaken by any reasonable man, no matter how weak or sorely tempted.

An inventor in the employ of the Government has for years been working on an automatic scale. The invention is now believed to be successful, and the scales will soon be installed for the weighing of sugar. If they are as successful in practice as they are in theory, they will, in the future, prevent the kind of thieving practiced by the American Sugar Refining Company and discovered by Mr. Richard Parr. Even, however, if they prove to be all that is predicted, they will be of no service in the prevention of fraud in the weighing of commodities other than sugar. In the first place, there is no room for large stationary scales on the crowded docks where miscellaneous goods are landed. In the second place, they would obviously be of no service in the weighing of goods such as the fruits referred to, where a portion only of each consignment is weighed, and where the fraud occurred in estimating the weight of the whole.

Mr. Loeb likes a good joke, but he did not like the Customs force of night inspectors. That was a joke, but he thought it a bad one. The force was composed of one hundred and forty-one men—picked men, picked for the softest jobs in the service. In theory these so-called inspectors were supposed to go on duty at sundown, and see that no unpassed goods were spirited off ships or docks during the night. In fact they either went home between ten o'clock and midnight, or they crawled into a bunk on some convenient ship and slept until morning. There may have been some stern moralists who did their duty in fact as in theory, but as there was no method of supervision, whether there were any such can never definitely be known. These sleeping guardians of the Nation's revenues received salaries of $1,095 a year. Many of them were regularly employed in private business during the daytime. Naturally, they had to sleep sometime! One of them was in the employ of New York City by day. He worked for his city by day and slept for his country by night. He drew as much pay for his sleeping as his waking hours. A profitable way of turning night into day!

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Mr. Loeb, so to speak, rudely awakened this sleeping force. He ordered it replaced by a force of Customs watchmen which should be on duty day and night, and which should be no joke. He intrusted this work to Captain Lutz, formerly Chief of Police of Porto Rico, who had earlier been transferred to the Custom-House for this purpose. The eighty members of the old force who seemed capable of better things were retained for the nucleus of the new force. With their salaries of $1,095 a year, they were made watchmen of the first grade. The one hundred most intelligent Custom-House laborers were promoted to be watchmen of the second grade, with salaries of $960 a year. The one hundred and thirty next most promising laborers were promoted to be watchmen of the third grade, with salaries of $840 a year. This force of three hundred and ten men is divided into three platoons doing duty successively for eight hours each. One would naturally conclude that this would have left the laborers' force short-handed to the number of two hundred and thirty. Not at all! There were at least that number of laborers who did not labor. They were known as "statesmen." Local ward leaders got them on to the Government pay-roll. In return for this accommodation they did the bidding of the local leaders. In other words, the city ward leaders paid these particular henchmen out of the National Treasury. Mr. Loeb was warned that the local politicians would not tolerate having their "statesmen" actually forced to work. He replied that they must work or get off the pay-roll. Rather than accept this painful alternative, most of them went to work. It is hard on their patrons to have only their spare time, but it can't be helped. This reorganization, by which the one hundred and eighty-odd miles of docks in the port of New York are adequately guarded day and night instead of being farcically guarded at night alone, has been effected, not only without added cost, but at a material saving.

One of the first results of the new Collector's effective measures was the seizure of five huge dressmakers' trunks. The value of the dutiable goods in these trunks averaged about $10,000 each, or $50,000 for the five. This was the favorite method of conducting out-and-out smuggling operations. Trunks unaccompanied by passengers had always been allowed to lie on the docks, sometimes for months, before being sent to the public stores if no one appeared to claim them. Such trunks were known as "sleepers" or "sleeper trunks." Although nominally under the custody of the United States Government, they could as a matter of fact be removed at almost any time by any cautious person. In the daytime there were no watchmen, and they were supposed to be protected by the busy inspectors, who were so taken up with their work of inspection as to have no time to exercise any such police duty. At night after ten or twelve o'clock they were left unprotected by the so-called night inspectors. "Sleeper trunks" were guarded by sleeping inspectors. Now all left-over baggage is sent to public stores after twenty-four hours, and, as the rule is more strictly enforced requiring the manifesting of every piece of baggage by the steamships, it is possible to trace them.

Under the fostering conditions of the old régime there had grown up an enormous millinery and dressmaking smuggling syndicate. For many years "sleeper trunks" have been gently removed from the docks at night by the agents of the syndicate. Besides the five trunks already mentioned, Customs agents working in conjunction with the United States District Attorney's office have traced over two hundred such trunks which had been successfully smuggled off the docks in the two years prior to the inauguration of the new watchmen's force. These contained dutiable articles on which it is estimated the Government lost over two million dollars in duty. In the first hours of their new authority a few of these watchmen, through misdirected zeal, overstepped in some respects their authority. They were promptly corrected by their superiors. Meantime certain portions of the press and the public had seized upon these trivial mistakes as evidence that Mr. Loeb was building up an inquisitorial system. Against both passengers and tradespeople thirty-five indictments have already been found for the attempted smuggling of

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wearing apparel. It is perhaps natural that to those who smuggle or wish to smuggle, or sympathize with those who do, the new régime should appear inquisitorial.

It would seem that if anybody should submit patiently to the exactions of a law, it should be the men who made it. Not long ago one of the United States Senators who was active in securing the passage of the Aldrich-Payne Tariff Bill arrived from Europe at the port of New York. The Deputy Collector who went down the harbor to meet the steamer on which the Senator arrived asked him how many pieces of baggage he had. The Senator jumped to his feet and shouted in anger, "I suppose next you'll be asking me how many pairs of socks I bought while I was in Europe!" The Deputy replied: "Senator, we are here to enforce the laws which you make in Washington." The Senator thought a second, and then offered no further protest against the operations of the law for which he had voted.

The ordinary citizen cannot be quelled by this timely retort of the Deputy Collector. Whether he be a free-trader or a high protectionist, his responsibility is too remote and infinitesimal to affect his attitude. To women the appeal would be absurd, as they have not even a theoretic responsibility for the tariff laws. Not long ago a woman was charged a heavy duty on the dress she was wearing when she landed. She turned indignantly on the inspector and asked him if he expected her to come ashore without any dress on! She was under the totally groundless but apparently widespread impression that there is no duty on clothes which are being worn. Like the United States Senator, she turned upon the inspector as though he were personally responsible for the law. If she gave the matter second thought, she may have decided that Mr. Loeb was responsible for her annoyance. The idea of her tracing the causes of her trouble back of Mr. Loeb to Congress and back of Congress to the men and forces that influence its action is of course ridiculous. A man once came out of the Stock Exchange after losing heavily on a speculative stock. His progress was impeded on the steps by a stranger who was tying his shoe. He pushed him aside with such violence that the man fell down. The indignant stranger struggled to his feet and said: "What do you mean, sir, by knocking me down? I was only tying my shoe." The speculator retorted, "Oh, confound you, you're always tying your shoe!" The Customs inspector is in much the position of this man who was tying his shoe.

Shortly after Mr. Loeb took office the Customs inspectors found a false bottom in one of the trunks of the wife of a prominent multi-millionaire business man. She claimed that it was only an ordinary tray. It was nailed in. There were a large number of dutiable articles under it. There were none on top. Among other things was found the invoice for a twenty-three-thousand-dollar diamond necklace. When asked where the necklace was, she replied that her husband had had it shipped into this country in advance. The husband, on being questioned, said that he had sent it to Canada by the American Express Company. The records of the American Express Company were examined. There was no record of it. When this was reported to him, he said he had made a mistake, and he mentioned another express company. After another examination that company was found to have had nothing to do with it. On being confronted with this report he said he had made another mistake. He had, in fact, had an employee personally take it into Canada and there deposit it with a trust company. On advice of counsel, he finally delivered it to the Custom-House pending the outcome of the investigation. Mr. Loeb believes that when the wife was caught the husband became alarmed and had the necklace smuggled across the border into Canada and there deposited with a trust company. Later, on the advice of his lawyer, he had it smuggled back into this country and surrendered to the Collector's office. This tale of daring smuggling is not told of criminals or of social outcasts or even of adventurers. The offenders are people of culture, wealth, and social standing. The woman has been indicted and will shortly be tried. The husband concludes a letter to the Collector in essentially these words: "After the outrageous humiliations to which we have been subjected, I shall see that the next time my

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wife returns to her native land she brings with her no baggage whatever. That is apparently the only way to avoid persecution." If these expressions may be taken at their face value, these prominent citizens feel themselves the aggrieved parties. They attempted to defraud the United States Government of a large sum of money, and yet they represent themselves, undoubtedly with some honesty of feeling, as the hapless objects of Governmental persecution. The penalty for smuggling is payment of the appraised value of the articles smuggled plus the duty, and, in the discretion of the court, a fine not to exceed $5,000 for each offense, or imprisonment not to exceed two years, or both. Mr. Loeb hopes to secure terms of imprisonment for some of these self-styled martyrs. The mere imposition of fines is notoriously less effective as an object-lesson deterrent than imprisonment for even the shortest periods.

European shopkeepers cause a good deal of unnecessary trouble at the Custom-House by telling their customers ingenious lies calculated to loosen their purse-strings. For instance, a man and his wife not long ago arrived with a whole trunk full of table linen. The shopkeeper had told them that if they had each piece marked they could bring the linen in free of duty, as being in actual use. On this assurance they bought a large quantity and had each piece duly marked. When they arrived at the Custom-House, they found that instead of avoiding duty by the marking, it necessitated the payment of a much higher rate of duty, because it brought the linen under the head of embroidered materials. They were naturally angry at this unhappy outcome of their attempted economy. Instead of venting their indignation upon the lying shopkeeper in Europe and the authors of the offending clause about embroidered goods in the tariff law, they vented it first upon the inspector who examined their baggage and then upon Collector Loeb. Neither Mr. Loeb nor his subordinate was any more responsible for their discomfiture than was the Pope at Rome or the Mayor of New York. If every aggrieved traveler—which would mean the great majority of those who are obliged to pay any considerable amount of duty—took the next train for Washington and complained vigorously to his Congressmen, not against the Customs officers but against the law which they are executing, it would probably not take long to secure free entry for all personal effects. Whether that would be just to the importers is another question.

Mr. Loeb has greatly increased the working capacity of the four hundred Customs Inspectors by cutting out the dead wood. All who were incompetent by reason of age or for any other cause have been eliminated. Those who remain are young men and picked men. In fact, Mr. Loeb personally selected each man. After a piece of baggage has been inspected and passed, a stamp is placed upon it to indicate that it is eligible for removal from the pier. Mr. Loeb found that these stamps were being soaked off and reused. He at once substituted stamps, printed in copying ink, of such thin paper that they cannot be soaked off, and, even should they be, could not be reused because the ink runs when moistened. In other words, he has substituted stamps that do not offer temptation for stamps that did. Similarly, he found that the same stamps were used for tobacco that were used for trunks. Hence a man could have a box of cigarettes passed and stamped, and then, if fortune favored him, could adroitly remove the stamp and clap it upon a trunk containing dutiable goods, summon a porter, and have the trunk removed. Mr. Loeb has provided special tobacco stamps of a different color from the baggage stamps, and these are also printed in copying ink. Besides these and many other minor safeguards, he has appointed a committee of experts to study the subject of the inspection of passengers' baggage and make recommendations for further improvement. His aim is to subject the honest and conscientious passengers to the minimum of inconvenience consistent with the law, and the other kind to the maximum of inconvenience, expense, and humiliation. He aims to make it as hard for the dishonest traveler to enter the Port of New York as it is for the Scriptural rich man to enter the Kingdom of Heaven.

Does it pay the Government in dollars and cents to make all this fuss? The

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Merchants and Manufacturers Board of Trade has answered this question. During September, 1907, 39,578 passengers arrived at the port, made 1,385 dutiable declarations, and paid in duties $97,063.08. During September, 1909, 43,284 passengers arrived, made 3,169 dutiable declarations, and paid in duties $265,106.04. With less than 4,000 additional passengers there were almost three times as many dutiable declarations made, and almost $170,000 more paid in duty. The percentage of dutiable declarations to the number of passengers arriving was, in 1907, 3½ per cent, and in 1909 $7\frac{3}{10}$ per cent. The total receipts of the Custom-House up to November 24, 1909, for the fiscal year 1909–1910 were nearly $19,000,000 greater than for the same period the preceding year. Naturally, some of this increase must be charged to improved trade conditions. Much of it, however, must be credited to the improved administration of the Custom-House.

The philosophy of Mr. Loeb's work is simple. Generally speaking, people follow the line of least resistance. They will do right if it is not made too difficult. They will do wrong if it is made too easy. Mr. Loeb is creating conditions which are making it more difficult for importers and passengers and Customs employees to do wrong than to do right. In this way he is building up an *esprit de corps* in the service, and a wholesome respect for the law outside the service. Whether within his term of office he can make honesty such a habit that it will indefinitely persist, time alone can prove. Many people are pessimists, and they believe he cannot. Mr. Loeb is an optimist, and he believes he can.

RELIGION AND MIRACLE

BY LYMAN ABBOTT

WE welcome Dr. George A. Gordon's volume on "Religion and Miracle."[1] We welcome it for its candor and its intelligence. These qualities are not often found in any discussion of this topic. Ministers generally pass the problem by in silence, and theologians too often leave themselves under the suspicion of lacking one or the other quality by their unconvincing special pleading. Whatever may be thought of Dr. Gordon's conclusions, it cannot be doubted that he has treated his subject with courageous candor and spiritual intelligence, that the reader knows exactly what he means to say, and that he says exactly what he thinks. With the main theme of his treatise I am in perfect accord. He thus defines it in his preface:

> I am unwilling that any one who may look into this volume should fail to grasp my purpose in writing it. I have no interest in the destruction of the belief in miracle. I am concerned to show that where miracle has ceased to be regarded as true, Christianity remains in its essence entire; that the future of religion is not to be identified with the future of miracle; that the message of Jesus Christ to the world is independent of miracle, lives by its own reality and worth, self-evidencing and self-attesting.

If Dr. Gordon succeeds in accomplishing this purpose for any of his readers, he will have rendered them a real and lasting service. Jesus Christ did not base his authority on his miracles. He was often asked to do so, and as often refused. The Church has made a great mistake in departing in this respect from the example of its Master. Belief in Christianity does not depend on belief in miracles. On the contrary, belief in miracles depends on belief in Christianity. If it could be proved that Joseph Smith rose from the dead, the proof would add no intelligent converts to the Mormon Church. If it could be proved that Jesus Christ did not rise from the dead, the proof would take no intelligent disciples from the Christian Church. Without further criticism of Dr. Gordon's book,

[1] Religion and Miracle. By George A. Gordon, Minister of the Old South Church, Boston. Houghton Mifflin Company, Boston.

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with the purpose of which I heartily agree, with some of the processes of which I do not agree, I take this volume as an occasion for giving to the readers of The Outlook my own convictions on this general subject.

What is a miracle?

Dr. Gordon nowhere defines the word. His opening chapter, however, produces the impression that by miracle he means a violation of the laws of nature. The nearest approximation to a definition that we find in his volume is in the phrase: "The miraculous means a contradiction of the customary order of the world, as when the ax is said to come from the bed of the Jordan to its surface at the call of the prophet." If this is a correct definition of miracle, I do not believe that any miracle ever took place, for I do not believe that the customary order of the world has ever been contradicted. God is the God of order, not of confusion; and history is not composed of an orderly process occasionally broken in upon by contradictions. Miracle is not another name for occasional disorder.

Certainly this is not what the writers of the Bible meant by miracle. They could not have defined it as "a contradiction to the customary order of the world," because they did not realize that there was any customary order of the world. "The uniformity of nature," says Dr. Gordon, "is a reasonable assumption." It is more than that; it has become a necessary condition of thought. That nature is lawless, chaotic, the product of chance or of a whimsical and lawless will, is, in the present stage of the world's thinking, unthinkable. If we are to reason about nature at all, we must start with the assumption that its processes are all reasonable processes. If the ancient Hebrews did not recognize this assumption, it was because they were not in the habit of reasoning about nature. Not only science (that is, the knowledge of nature) but civilization (that is, the use of nature) rests on the assumption that nature is subject in all of its processes to uniform law. And this uniformity of law is as essential to religion as it is to science. For we must assume not only an intellectual order in nature, but a moral order in life. Man endowed with a free will may violate the natural law and pay the penalty; he may violate the moral law and pay the penalty. But if there is no law, there can be no obedience; and if it be not a uniform law, there can be no uniformity of obedience. And uniform obedience to law is the very essence of religion, as lawlessness—that is, disregard of law—is the very essence of sin.[1] Thus the uniformity of law is the basis alike of science, civilization, and religion—that is, of intelligent and ordered life.[2]

Let us go back into the first century in our study of the New Testament records, and see if we can conceive the miracle as the writers of those records conceived it. They used four words to designate what modern theology, transliterating a Latin word used in the Vulgate to translate the earlier Greek, has called miracle. These four words are: wonder, sign, work, and power. If we put these four words together, we shall get a fairly accurate interpretation of the Hebrew writers' conception of what we call a miracle. Any event which excited their wonder and appeared to them to indicate the work of a more than human power they would have called a miracle, if they had used the word. If a miracle is a "contradiction of the existing order of the world," no really thoughtful person should believe in miracles. If any event which excites wonder and is a sign of the working of a more than human power is a miracle, no thoughtful person can deny the existence of miracles. The Hebrew historian would have regarded the earthquake in Sicily which destroyed the city of Messina as a miracle; the modern newspaper correspondent would not have so designated the earthquake in the Jordan Valley which destroyed the cities of Sodom and Gomorrah. The reason for the difference is not in the events recorded, but in the point of view of the recorders. The modern historian is interested in ascertaining the immediate causes of such phenomena. They are due, he says, to a shrinkage in the earth's surface. The ancient Hebrew was interested in their ultimate cause. They are due, he said, to the will of Jehovah. It is quite possible that both are right; that the earthquake is due to a shrinkage in the earth's surface, and that

[1] "Sin is lawlessness."—I John iii. 4.

[2] The ancient Hebrews believed in the inflexible laws of God; obedience to those laws was to them the essence of religion.

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the shrinkage in the earth's surface is due to the will of God and fulfills some purpose of his by us not yet clearly understood.

The Bible narrates a considerable number of such events which excited wonder and were taken as a sign of the working of a more than human power. To believe in miracles is to believe, first, that these events occurred, and, second, that they have some relation to the will of God and the fulfillment of his purposes in the history of the race. To class these extraordinary events together and demand in the interest of faith that they should all be believed is irrational; but it is equally irrational to class them together and insist, in the interest of science, that they should all be disbelieved. Some of them are explicable and some inexplicable, some of them are well substantiated and some of them are not substantiated at all.

These events may for convenience be classified in three groups, according to their character. Some of them are stated by the historian to be due to natural forces, which he describes. Thus, in narrating the passage of the Red Sea, the narrator says that Jehovah caused the sea to go back "by a strong east wind all that night, and made the sea dry," and the waters of either side of the passage served the purpose of "a wall unto them on their right hand and on their left." Here the extraordinary event is not only explicable, it is actually explained. Some of the events are not explained by the narrator, but are made explicable, or at least partly explicable, by modern knowledge. Many of the cures wrought by Jesus Christ are of this character. Modern psychotherapy, whatever the reader may think of its systematic employment by either the hospitals or the churches, has demonstrated, not only that the spirit possesses a power over the body until recently hardly suspected, but that the spirit of one person often possesses such a power over the body of another person. He would be a rash thinker who would venture to say what is the extent and what the possible limits of this power. That Jesus Christ may have possessed in a supereminent degree the spiritual power of which modern psychology gives us only as yet a hint is entirely possible. That many of the so-called miracles of healing attributed to him may have been wrought by this psychic power is certainly conceivable. In the third category come events which as events are conceivable, but as processes are not conceivable, and which therefore do appear to contradict the orderly processes of nature as we understand them, or at least are a marked exception to these processes. Thus we are told that on one occasion Jesus Christ ordered a company of upwards of five thousand to be seated in ranks upon the grass, and, taking five loaves and two small fishes, blessed them and divided them, to be passed to the people, and that there were enough to feed them all and leave, after all were fed, twelve baskets of unused fragments. We can conceive this event just as easily as we can conceive the story of Jack and the Beanstalk; but the process in the one case is as inconceivable as in the other. To class these three kinds of extraordinary events—the explained, the possibly explicable, and the wholly inexplicable—together, and insist that we must either believe them all or disbelieve them all, appears to me irrational, whether the result is belief or unbelief.

These extraordinary events recorded in the Bible may again be classified according to the nature and degree of evidence by which they are substantiated. Some of these narratives are not history and never ought to have been so regarded. That the "sun stood still and the moon stayed until the people had avenged themselves upon their enemies" is quoted from "the book of Jasher," which there is good reason to believe was an ancient book of poetry, never written as history nor intended by the writer to be so regarded. The book of Jonah is on the face of it a satirical fiction, and neither the story of the big fish nor of the wholesale conversion of Nineveh at the preaching of one prophet would have been regarded as history if theological prepossession had not seemed to require the defense of all miracles as equally historical.[1] The Samson stories and the Elisha stories belong in the folk-lore literature of Israel, and they are no more necessary to its

[1] In saying this I impugn no one more than I impugn myself, since in 1875 I maintained the historicity of the book.

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history than are the story of John Alden and Priscilla Mullens or John Smith and Pocahontas to the Colonial history of the United States. Such folk-lore is valuable as a picture of the life of an ancient people, but is not an essential element in the development of the national life. On the other hand, the story of the passage of the Red Sea is as well substantiated as any analogous event of ancient time. It is embedded alike in the history and the poetry of the people. It is celebrated to this day by a festival whose origin is lost in the mists of antiquity and which would be inexplicable if there were no event to be celebrated. And the geographical features remain to this day bearing witness to the possibility of the event: the location of the land and water such that a northeast wind and an ebbing tide would leave a free passage protected on the flank by water on either side and quicksands in which the heavy chariots of the pursuing Egyptians would easily become entangled when the wind died down and the tide returned to its flood.

To refuse to believe some extraordinary events recorded in the Bible which are easily explicable and are historically substantiated because there are other extraordinary events which are wholly inexplicable and not at all substantiated seems to me as irrational as to accept them all alike—the probable and the improbable, the proved and the unproved—because they are found recorded in the history of the Israelitish people. A single modern incident—the battle of Manila—may serve to illustrate the irrationality of this course. If Israel had been a naval power, and the book of Judges had narrated a naval battle between the Israelites and the Phœnicians in which the Phœnician ships were utterly destroyed and only one Israelite was injured, the skeptics would have scoffed at the story as one impossible to believe, and the Church would have insisted on it as a miraculous demonstration that Jehovah was the Guardian of his chosen people. The Church might have been right; the skeptics would certainly have been wrong.

The discrimination which appears to me to be called for in reading the Bible narratives receives perhaps its most striking illustration in the comparison of the stories of the Virgin Birth and of the Resurrection of Jesus Christ. That neither of these events is inconceivable, and that, while both may constitute remarkable exceptions in the customary order of the world, neither of them can properly be called a contradiction to that order, will be fairly apparent to the unscientific reader from the following statement of Professor T. H. Huxley: "As for virgin procreation, it is not only clearly conceivable, but modern biology recognizes it as an everyday occurrence. So with restoration to life after death. Certain animals, long as dry as mummies and, to all appearance, as dead, when placed in proper conditions resume their vitality. It may be said that these creatures are not dead, but merely in a condition of suspended vitality. That, however, is only begging the question, by making the incapacity for restoration to life part of the definition of death." [1] But though neither of these events is a contradiction to the customary order of the world, the virgin birth of a human being is an extraordinary exception to the customary order of the world, and the evidence for it is comparatively slight, while the resurrection of Jesus Christ is not an extraordinary event, it is only an extraordinary evidence of an ordinary event, and is one of the best-attested facts of ancient history.

The Virgin Birth is narrated by only two of the New Testament historians. The source of their information is not given, and of the facts they could not have been directly cognizant, since they did not know Jesus until thirty years after his birth. Jesus never refers to this birth; the Apostles never mention it in their missionary addresses; it is not referred to in any Apostolic Epistle.[2] On the other hand, the Resurrection of Jesus Christ is recorded in entirely independent but not inconsistent narratives by four historians. Three of these narratives, if not all four, are probably directly or indirectly from eye-witnesses. It is the theme of the Apostles' missionary addresses; it is declared by these Apostles to be the foundation of their

[1] "Science and Christian Tradition," Essays, p. 199.
[2] There are references in John's Gospel and in Paul's Epistles which have been supposed to imply belief in the Virgin Birth, but there is no direct reference to it.

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faith in Jesus Christ as the world's Messiah; and it is not infrequently referred to by Christ himself prophetically in his reported addresses. That at first the disciples of Jesus regarded him simply as a teacher, then as a prophet, then as the promised Deliverer of Israel, is clear from the Gospel narratives. That almost to the last they expected him to deliver himself from his enemies by some new manifestation of his power; that when he failed to do so and died, they abandoned their hope in his Messiahship and prepared to go back to their usual vocations; that the first stories of his appearances after death appeared to them as idle women's tales which they regarded not; that only after repeated appearances were they convinced that he was not dead but living; that these reappearances revived their faith in him as the Deliverer of Israel; that this faith in him as a risen Master victorious over death was the burden of their message; that it won its way in a peculiarly skeptical age against the prejudice of the Jews and the materialism of the Romans; that it was the historical foundation of the Christian Church, which never would have existed except for this faith; and that from that day to this the power of Christianity has been the belief of the disciples in the living but unseen spirit of their Master, counseling, leading, and inspiring them, cannot be questioned by any unprejudiced reader of history. It is easier for me to believe that this faith, which has survived the test of centuries and has been the inspiration of the greatest moral movement the world has ever known, is true, than to believe that this great world movement is founded on a falsehood or on an illusion.

To believe that the greatest moral movement the world has ever known is founded on a falsehood or an illusion appears to me to involve a disbelief in the moral order. But to believe in the Resurrection of Jesus Christ is not to disbelieve in the natural order. "Why," says Paul, "should it be thought a thing incredible with you that God should raise the dead?" Why, indeed? If I thought, as many seem to think, that death is the extinction of life and resurrection is a new creation of life, resurrection would indeed seem to me incredible. But death is not extinction of life, and resurrection is not a new creation of life. Death is simply the dropping off of the body from the spirit; resurrection is simply the upspringing of the spirit from the body. There was nothing extraordinary in the resurrection of Jesus Christ. Every death is a resurrection. Believing this, it is not difficult for me to believe that the disciples had some ocular evidence that the spirit of Jesus Christ had thus risen, that he was not dead but living. On this evidence their faith in him as the Messiah was based, and out of this faith the great spiritual movement known as Christianity has grown. The exact nature of that evidence it may be difficult for us, at this distance of time, to determine, nor is it important so to do. The resurrection of Jesus Christ and the reanimation of his body are not identical. One may believe in the first and not in the second. But the return of the spirit of Jesus Christ to reanimate his body does not seem to me an incredible event. That the spirit has often returned to the body and reanimated it is the testimony of history and of science. Every resuscitation of a person pronounced dead by the onlookers is such a return of the spirit to the body which it has apparently left, and which it has certainly ceased to animate. Doubtless it was an event which excited wonder and served as a sign of more than human power, and so, according to the Apostolic conception, it was a miracle. But it was no contradiction of the orderly processes of nature. And it neither belongs in the class of events the process of which is to us inconceivable nor to the class of events for which there is no adequate historical evidence.

Dr. Gordon gives in his opening chapter this definition of Christianity: "The Christian religion is the vision of the Eternal moral order and the vision of the Eternal grace in that order." If by that he means that Christianity is a spiritual experience of moral order and of Divine grace bringing order out of chaos, I agree with him. But to me, and I think to most Christian believers, Christianity is more. It is a great historical movement born of faith in Jesus Christ as the supreme manifestation in a single human life of the God of order and of grace. If this faith is true,

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if, in the words of an ancient creed, he "for us men and for our salvation came down from heaven," it appears to me neither incredible that extraordinary manifestations of power over nature and over men should have characterized his life, nor that those manifestations should have been inadequately and incorrectly reported. To his contemporaries the evidence of his character and mission were in those events. To us the evidence is in the life about us.

In his first reported sermon Jesus Christ defined his mission and indicated the secret of his power: "The Spirit of the Lord is upon me, because he hath anointed me to preach glad tidings to the poor: he hath sent me to heal the brokenhearted, to preach deliverance to the captives and recovering of sight to the blind, to set at liberty them that are bruised by oppression." If he and his followers have done this, Christianity is true. If they have not done this, Christianity is false. Is the poverty of Christendom less or greater than in ancient Rome? Is there any more comforting hope of immortality in Christian households now than in pagan households then? Is slavery less common or more common? Are there more or fewer asylums for the blind? more or fewer schools for the ignorant? Is government more just and more free, or more oppressive? In so far as the last eighteen centuries have made any progress toward that justice and peace and universal welfare which is the Eternal moral order, is it to be seen in all lands, or only in those which have been touched by the influence of the Master's teaching and spirit? To ask these questions is to answer them. The event which excites our wonder and is for us a sign of the working of a more than human power is the history of Christianity. Not of the Church, which has sometimes been as much a hindrance to Christianity as it was in Christ's own time, but of the influence exerted and the results produced wherever the precepts and principles of Jesus Christ have been accepted and his spirit has been embodied in human lives.

He who will, without prejudice, study this miracle need not trouble himself about any other. He will not think it incredible that the life and teachings of Jesus Christ were accompanied by some extraordinary events which served as evidence to Christ's contemporaries of Christ's Messiahship. But neither will he think it necessary to look back across a gap of eighteen centuries in order to determine whether those events were accurately observed and correctly reported. He will not think it incredible that the resurrection which accompanies every death, which is, indeed, simply the obverse side of death, should have been demonstrated in the case of Jesus Christ by a reanimation of his body. But neither will he think it necessary to look to ancient records for the evidence of the spiritual resurrection of Jesus Christ. For he will find that evidence in the indisputable history of eighteen centuries of Christian civilization, and in the unquestioned facts of the life about him.

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STRIKES AND PUBLIC UTILITIES: A REMEDY

BY WALTER GORDON MERRITT

THE occurrence of a considerable number of strikes on public utilities during the last year, with the attendant loss and inconvenience to the public, renders timely a review of this evil and a search for a remedy. While most of these strikes were terminated without causing great public affliction or attracting any considerable public attention, the comparatively recent disturbances in Georgia and Philadelphia developed to serious and menacing proportions and commanded the attention of the whole country.

The Georgia Railroad, like all of the important railways in this country, is an inter-State commerce utility over which the Federal Government may exercise control under the broad Constitutional power to control and regulate inter-State commerce. For this reason that strike raises the question of the relation of our Federal Government to labor controversies that may arise on any of our numerous important and almost indispensable railways.

The Georgia Railroad owns and operates about three hundred miles of road, but its operations were totally suspended, and the use of its tracks for commerce, upon which the people had been taught to rely as a necessity, was absolutely abandoned, on account of a dispute concerning about seventy-five firemen. The strike lasted twelve days, and for five days not a wheel turned on the whole system. In this short time all transportation in that section was generally interrupted, including the delivery of the United States mail, business was seriously interfered with, entailing immense losses, and physical suffering became so imminent that there were frantic appeals from different communities on account of the threatened famine.

The strike was finally settled by a compromise on the arrival and interposition of a member of the Inter-State Commerce Commission who went to Georgia to investigate the situation in the performance of duties imposed on him by the Federal statutes.[1]

The strike in the city of Philadelphia was on the local traction lines, and accordingly could be reached only by State laws and State authority, unless it had become such a general insurrection as to call for the intervention of Federal troops. It was an astounding sight to see that third city of this country, and the city of men of traditional peace, in disorder and chaos, many of its streets disturbed by violence and much of its business interrupted for a full week, because of a strike on a street railway system.

But these two disturbances, confined to comparatively small areas, only mildly suggest the evils and dangers that might be aroused by strikes on public service corporations. The terrors of the Anthracite Coal Strike of 1902 are still unforgotten, but the strike of the American Railway Union in the early summer of 1894 more truly demonstrates the dangerous possibilities. It will be remembered that this great strike grew out of an effort to aid the striking employees of the Pullman Car Company by a combined refusal of railway employees of many different companies to handle or haul any cars made by that company. It resulted in the sudden abandonment of the railways by about one hundred thousand men and the paralysis of some twenty-four lines centering in Chicago. It was not a local strike, limited to a city or a State, but a vast National disturbance extending throughout the whole Middle West and the Far West and causing lawlessness and disorder wherever the telegrams of the union reached. The situation is best revealed by reviewing some of these telegrams that were exchanged between

[1] The Erdman Law was passed by Congress in 1898, and provides machinery for voluntary arbitration. Three arbitrations, including that of the Georgia Railroad, have been effected under it.

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Debs and Phelan, the two principal union leaders :

DEBS TO PHELAN

June 27, 1894.

Indications are that all Western lines will be tied up solidly before sunset to-day.

PHELAN TO DEBS

June 28, 1894

I cannot keep others out if Big Four is excepted. The rest are emphatic on all together or none. The tie-up is successful.

DEBS TO PHELAN

June 29, 1894.

About twenty-five lines now paralyzed. More following. Tremendous blockade.

DEBS TO PHELAN

July 2, 1894.

Knock it to them hard as possible. Keep Big Four out and help get them out at other places.

PHELAN TO DEBS

July 2, 1894.

Going out all around. Firemen a unit. Will soon be an avalanche to us. Working outside points.

DEBS TO PHELAN

July 2, 1894.

Hold Big Four solid. Going out to-day at every point. Gaining ground rapidly.

DEBS TO PHELAN

July 2, 1894.

Advices from all points show our position strengthened. Baltimore and Ohio, Pan Handle, Big Four, Lake Shore, Erie, Grand Trunk, and Michigan Central are now in fight. Take measures to paralyze all those that enter Cincinnati. Not a wheel turning on Grand Trunk between here and Canadian Line.

These telegrams tell only half the story, for they naturally disclose nothing of the acts of the lawless mobs in different parts of the country. To understand that aspect of the situation one should read the mass of letters and telegrams that passed between Attorney-General Olney and the marshals and district attorneys of the many States and Territories, frantically wiring for instructions and funds to enforce the laws against the ruling mobs and the fast-spreading disorders. Nothing short of the combined force of our army and judiciary was able to re-establish the supremacy of law.

The simple but appalling truth is that there is nothing in our laws to-day which forbids a strike as far-reaching and as disastrous as the coal strike of 1902 or the railway strikes of 1894, or denies the right of a combination of men to create such a critical condition. This does not mean that the Debs strikes were lawful or that every railway strike is lawful, any more than it means that every strike in an ordinary industry is lawful, but it does mean that there has been no distinction drawn between strikes on public service corporations and strikes on ordinary corporations, and that the law, while imposing certain peculiar obligations on the employer in a public service corporation to accommodate the public, has illogically refrained from impressing the same obligation on the employees or placing any comparative limitation on their liberty. A peaceful strike, seeking higher wages and better conditions of employment for the strikers themselves, may at any time terminate our primary fuel supply, leave our cities in darkness, suspend the operations of our street railways, and paralyze the railway operations of the country, as was done in 1894, thereby causing enormous business losses and physical suffering. The thought of an obstinate and protracted strike of railway employees is fearful and its far-reaching consequences are unimaginable. It would be difficult to break the union monopoly of skilled engineers and trainmen, and the attempt to operate trains with inexperienced hands would, to say the least, be hazardous.

In discussing a remedy for this situation it must be borne in mind that a suggestion made as to public service corporations, where the public interest is peculiar and the obligations of the proprietors extraordinary, is in no way a necessary criterion for ordinary private corporations or an ordinary business. The law has always treated *quasi*-public corporations as a class by themselves, impressed with certain obligations to the public which differentiate them from ordinary corporations. When a man utilizes his private carriages and horses in connection with a public stage line, he dedicates them to the public service and forfeits much of the independence of control which ownership of property usually implies. He cannot discontinue the service unreasonably and he cannot refuse to furnish accommodations to all the public, friends or enemies, who desire to travel by his stage. The same principle applies to railroads, street railways, lighting plants, and many other facilities upon which public safety and convenience and the transaction of business

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is peculiarly dependent. The absolute control of the property is surrendered by the investors when they undertake to supply the public with such important facilities. These distinctions are too well known and have been too long established to require further elaboration. They rest upon a sound and unquestioned rule of public policy. It is the more strange, therefore, that the law has not extended these distinctions into the relations of men employed by railways [1] and other public service corporations and deprived them of such liberty as would make possible a sudden and disastrous interruption in the operation of public utilities.

The problem of doing this by legislation is twofold: (1) The negative consideration, which must effectually abolish strikes on public service corporations. (2) The affirmative consideration, which deals with the necessity of providing some protection to employees in lieu of the protection now afforded by the right to strike.

In dealing with the first aspect of the problem the most logical piece of legislation is a statute which should declare all strikes on public utilities to be unlawful. Such legislation should make such combinations both criminal and civil offenses, and provide for the remedy of injunction as well as damages in a civil suit and penalties in a criminal prosecution.

It is probable that proper penalties specified in such a law would act as an effective deterrent against any general violation of it; but even if an attempt were made to organize a strike contrary to the law, it could be controlled by the injunctive process of the courts. Equity will never grant an injunction ordering men to remain at work, as it is manifestly impracticable to enforce such a decree; but equity can and will enjoin men from organizing and instigating a strike and conducting the usual and necessary preliminaries to the organization of a strike. Strikes are not voluntary or natural uprisings or coincident withdrawals of men from employment, but involve elaborate preparations so that all men, willing and unwilling, will act in concert. The frequent resorts to violence and intimidation measure the difficulties of organizing and maintaining a strike, and demonstrate the necessity for disciplinary and coercive measures on the part of the union in order to bring about concerted action.

It is these elaborate but necessary preparations for strikes and the various means of maintaining them that can always be enjoined where strikes are unlawful, and could be enjoined in the case of employees in public service corporations if they are forbidden to strike. The injunction, while limited to this unlawful strike, would forbid the calling of a meeting to consider the strike, the actual voting on the question of the strike, the announcement of the result of any vote, the communication of any orders and decrees of the union concerning the strike, the inducement of any men to quit work and join the strike, the inducement of any men to refrain from work for the purpose of maintaining the strike, expulsion or the collection of fines for refusing to strike, and, finally, the payment of any strike benefits. Such an injunction would make any man liable to punishment for contempt of court who, with knowledge of the injunction, committed one of these acts. In the face of such a situation no strike could exist, for all coercive and persuasive measures would be eliminated.

There are also various measures which suggest themselves as proper expedients in connection with the enforcement of the criminal aspect of the law. It would be well to provide that no employee could quit the service without filing a written notice of intention to do so with some Government officer, who would be forbidden to receive or file more than a certain number of notices each day. This would provide for such a gradual retirement of employees as would make it practicable for the railway company to continue the operation of its trains without serious interruption, and would also provide a definite and simple way to enforce penalties for the violation of this very simple and definite rule.

If some form of old age or sickness insurance is ever established by the Government, or by the railways and Government jointly, as is to be hoped, the law could provide for a loss of those bene-

[1] See Justice Harlan's opinion in Arthur vs. Oakes, 63 Fed. 310, which modified Farmers Loan & Trust Co. vs. Northern Pacific R. Co., 60 Fed. 803.

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fits to the violators of a law prohibiting strikes on public service corporations; but in the absence of such an arrangement the law might license the employees of the railways and provide for certain examinations as a condition of the granting of such license. This license would be forfeited as to all who broke the law prohibiting strikes, and could be restored on the payment of a certain sum of money, which would act as a penalty.

Where the law is violated more than once the license could be forfeited in the discretion of the proper Government official. The remedy might be compared to that already existing as to masters, mates, and engineers of steam vessels, all of whom are licensed by the Federal Government. If any one of those officers wrongfully or unreasonably refuses to perform his duties, his license is revoked, and for disobedience or desertion he is penalized. There are also other licensed vocations which will suggest themselves to readers. The danger of this system of licensing is that which was experienced from the Pennsylvania law licensing employees for coal-mining. The license provision was used to stem the law of supply and demand and create such a scarcity of labor as artificially to raise the rate of wages. To avoid this the commissioner should not be allowed to refuse licenses because there are no available positions, but should license all applicants who are qualified.

It is certain, however, that the thoughtful public would not be willing to prohibit strikes on public service corporations without substituting some measure of defense to give the employees equal assurance against unjust treatment; and the character of this substitute is the feature which stirs the opposition of many people. Such a substitute must, of course, provide for the interposition of some third party when the employers and employees fail to agree, and, if it is to be a measure of any real efficacy, it must be recognized and enforceable at law. This spells legislation fixing the terms of employment or some measure similar to compulsory arbitration. The objections to both of these methods are to most people insurmountable, and the prejudice against them is so strong that they are even unwilling to give them fair consideration. They think the remedy a step in Socialism and governmental regulation of business far in advance of anything that this country has yet entertained.

Before condemning such a plan too hastily, it should be borne in mind that our Inter-State Commerce Commission and several Public Service Commissions in different States have power to pass upon transportation rates for passengers and freight and to determine whether the public is receiving proper service and accommodations. These commissions might well determine disputed questions of wages, hours, and conditions of employment. The special commission appointed by President Cleveland in 1894 to investigate the great railway strikes was so impressed with the crisis through which the country had passed that it dared to recommend compulsory arbitration in cases where labor disputes threatened public obstruction. The plan here proposed is, not to wait for threatened public obstruction, but to give the Inter-State Commerce Commission or the proper Public Service Commission the right to hear and determine grievances of employees, in the same way that it hears grievances of shippers and passengers. Thus, under the plan recommended by the Strike Commission of 1894, a strike would be organized to correct a grievance and be about to take place in a way that would affect the public safety or convenience before the Commission could act. It is submitted that this plan is objectionable, as it waits until the storm has gathered before it acts, and then may find that forces have been set in motion which it is difficult to control. It is better far, if Government regulation is to continue, to provide for the correction of each substantial grievance as it may appear, rather than to allow such grievances to accumulate and gather strength until a strike is threatened.

If the Strike Commission had foreseen the extent to which we were to adopt paternal legislation and government by commission, it would probably have made a different recommendation, for the powers given the Inter-State Commerce Commission and State Public Service Commissions to-day are of such character as to make the failure to give them power to determine labor controversies a strange and improper omission, and one that may

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involve the commissions and the public in strange complications.

If the citizens of a town can complain to a Governmental commission that freight or passenger rates are excessive, employers and employees should be able to approach the same commission in a petition to determine wages. Rates and wages are inseparably connected and interdependent. You cannot have high wages without charging high rates, and low rates mean low wages, provided justice is to be meted out to the investor in the form of a fair return on the investment.

Looking at the interest of the public, we find the commission's power may include the issuance of orders directing the manner and frequency with which trains are run to certain cities, and the fares to be charged for the service, yet it has no power to prevent the absolute discontinuance of the service by a strike. This is illogical and unsatisfactory, for it tells the employer that he must run so many trains a day at prescribed charges, and does not prevent the employees from taking such action as will prevent the operation of all trains. The public should have as much right to demand reasonable conduct on the part of the employee as on the part of the employer. Furthermore, it may be the commission's act itself which provokes the strike.

If the commission finds on a complaint to it that rates are too high, it may also find that the cause for the excessive charge is excessive wages that are being paid. It will then make its ruling reducing rates, but will have no power to reduce the excessive wages. The employer will accordingly be obliged to reduce wages, which will probably result in a strike interrupting the service. Thus a commission which has power to order the operation of a certain number of trains a day will, by its own order and in the performance of its mandatory duty, create a situation in which no trains are run. It is unjust and unreasonable to employer, employee, and the public that such a condition should exist, and it would seem that the logical remedy were to extend the powers of the Inter-State Commerce Commission and the proper Public Service Commissions so that they can also determine whether wages or conditions of employment are unreasonable or unjust. This plan, together with the suggested legislation abolishing strikes, would seem to furnish a promising solution for such woeful experiences as we have witnessed in Philadelphia and Chicago, and under the orders of Debs and Arthur. At the same time, the plan ought not to meet with opposition. The railways are already enduring the fears, annoyances, and necessary evils that emanate from the interference of a Governmental commission, and, being subject to Governmental control as to the rates they may charge, should be glad to be relieved from that terrible phantom of a threatened strike by giving the same commission the power to settle controversies with their employees when they themselves have failed. Their net profits and their opportunities for large returns would be no more jeopardized or restricted by such an extension of the commission's power than it is under the present régime. If the Inter-State Commerce Commission is ever divested of its power to hear and determine the question of reasonable and just rates, there will then be a far stronger argument against this proposed remedy as to strikes, but as long as the Commission's present jurisdiction is not reduced there can be no strong, intelligent opposition on the part of the railways against the plan.

The labor unions, on the other hand, cannot raise any cry based on a fear of oppression and abuse, for they are not deprived of the right to strike without provision for their proper protection. The determination of their rights by an impartial Governmental tribunal should not be criticised by them without a trial.

The rapid development in the creation and powers of commissions, both State and Federal, to protect the public interests in public utilities seems to have centered itself upon evils like watered securities and excessive rates, which in most cases are imaginary, and to have omitted an evil of unquestioned reality. There has been little ground to complain of unreasonable rates charged by traction companies, except discriminatory ones on railways, and little ground to complain that investments in the securities of public utilities are insecure, but there has been frequent occasion to complain that the service has been interrupted on account of labor controversies.

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THE NEW BOOKS

Mr. James O. Fagan, "the Railroad Signalman," makes a second important contribution to American railway literature in his "Labor and the Railroads." Fagan is himself a member of the Towermen's Union in good and regular standing. But no criticism of unionism as adverse to safe railway operation and efficient management more severe than that contained in his two books could have proceeded from the corporation or capitalistic point of view. Yet the animating spirit is neither hostile nor harsh. Rather is it of the sort that tells us that "faithful are the wounds of a friend." It is worth noting here that the impression made by his "Confessions of a Railroad Signalman" caused Mr. Fagan to be sent for by three presidents—President Roosevelt, President Mellen of the New York, New Haven, and Hartford Railroad Company, and President Eliot of Harvard University. His interview with President Eliot led to his appointment to a lectureship at the University. Mr. Fagan appears to have been led to make these studies of railway conditions by the circumstance of his connection with a branch of the service whose special function is the safeguarding of operation. The numerous instances of a flagrant disregard of rules essential to the public safety that were thus forced upon his attention caused him to investigate the underlying causes. He declares that railway men are the most intelligent and prosperous class of employees in the United States, and that individually, as a rule, they are careful, humane, and in their personal sympathies opposed to the tendencies inimical to the safety, not only of the public but themselves, which collectively they are responsible for. He also believes in labor unions as such. He shows how organized labor has effected an immense social amelioration in bettering the conditions of the working classes. This is particularly true of railway employees, while the unorganized portions of the service, such as gatemen at the crossings, are poorly paid and correspondingly inefficient. He points out that within the past few years, in the midst of the body politic of the railways, there has been evolved an empire within an empire, whose consistent policy is and has been the accumulation of power for its own exclusive use. He finds it natural that the selfish stage should be the first stage in the evolution of this new power, and he says that society, by means of public opinion, is now called upon to influence, control, and guide the succeeding stages of its development. The labor leaders are blamed for the evils in the present situation. In illustration, the author tells how an agreement upon a great New England railway, made between the management and the employees in the interest both of themselves mutually and the public at large, was upset by the dictum of labor leaders in Chicago interested only in the assertion of authority and not at all concerned for the welfare of those whose true interests were at stake. Mr. Fagan seeks a remedy in the education of employees, of managements, and of the public to a true understanding of the respective aspects of the situation. He looks to the development of an educational rivalry—on the one hand, the protective organization of the employee; on the other, the economic, the social, the sympathetic administration of the management. The author brings much testimony to show how, upon most railways, the rules of the unions forbid the enforcement of rules for safe operation. Here is what the general manager of perhaps the largest railway system in the United States told him: "I hope to live to see the day when a railroad manager, as an individual responsible to the public for the safety of travel, shall be able to remove a man for the simple reason that in his opinion the employee is actually unsafe to run an engine or conduct a train." Hence the safety of travel is now actually at the mercy of a system that has eliminated the very first principles of sane supervision and executive control. Mr. Fagan discusses approvingly the policy of the Pennsylvania Railroad Company in firmly declining to have anything to do with trade agreements or schedules of any description. In justification he points to the uncommonly good record of the Pennsylvania in regard to accidents and fatalities. Moreover, it appears that the Pennsylvania has always granted to its men every freedom to organize into unions and to utilize every legitimate opportunity to better their conditions. The author regards the "professional trouble-maker" as largely responsible for the evils of the situation. With things going well his occupation is gone. The Burlington, for instance, had expended $5,000,000 for putting its line into shape to handle a large coal business. This was developing profitably when some one discovered that if the railway could be compelled to haul shorter trains it would mean the employment of more help. So legislation was asked for to that end. But under such restrictions the business could not be profitably conducted. And of course the paralyzing of the business meant non-employment. With his calculations upset by such legislation, the manager has no alternative but to proceed to make the public pay the cost. Mr. Fagan looks to the rousing of the public to a consciousness of how it is suffering from dangers wholly due to lack of discipline and of individual responsibility on the part of employees. (Houghton Mifflin Company, Boston. $1.50.)

The first book to be published about Sicily since the disaster at Messina is sure to attract special attention. "Seekers in Sicily" (John Lane Company, New York, $1.50) should attract special attention in any event. In the first place, the book is written by

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two clever women, Elisabeth Bisland and Anne Hoyt, and on every page there is evidence of incisive observation peculiarly feminine. Again, the book is the only description of Sicily with which we are familiar that includes running dialogue. The pages are full of whimsicality, brightness, and charm, whether describing the life of to-day or the classical traditions and history of the island—indeed, the self-conscious vivacity is so strenuous as to become at times somewhat tiresome. The work does not pretend to be authoritative, we assume, as to information; but it is often both suggestive and informative. In this connection we would call special attention to a timely lesson which the authors draw from Pæstum, a place visited by them on the way from Naples to Sicily. The lesson should be heeded by all those who have butchered our American forests, or who by their inaction or obstruction are consenting to further butchering:

It was such a strange, tremendous story, that of the Greek Poseidonia, later the Roman Pæstum. Long ago those adventuring mariners from Greece had seized the fertile plain which at that time was covered with forests of great oak and watered by two clear and shining rivers. They drove the Italian natives back into the distant hills, for the white man's burden even then included the taking of all the desirable things that were being wasted by incompetent natives, and they brought over colonists—whom the philosophers and moralists at home maligned, no doubt, in the same pleasant fashion of our own day. And the colonists cut down the oaks, and plowed the land, and built cities, and made harbors, and finally dusted their busy hands and busy souls of the grime of labor and wrought splendid temples in honor of the benign gods who had given them the possessions of the Italians and filled them with power and fatness.

Every once in so often the natives looked lustfully down from the hills upon this fatness, made an armed snatch at it, were driven back with bloody contumely, and the heaping of riches upon riches went on. And more and more the oaks were cut down—mark that! for the stories of nations are so inextricably bound up with the stories of trees—until all the plain was cleared and tilled; and then the foothills were denuded, and the wave of destruction crept up the mountain sides, and they, too, were left naked to the sun and the rains.

At first these rains, sweeping down torrentially, unhindered by the lost forests, only enriched the plain with the long-hoarded sweetness of the trees; but by and by the living rivers grew heavy and thick, vomiting mud into the ever-shallowing harbors, and the lands soured with the undrained stagnant water. Commerce turned more and more to deeper ports, and mosquitoes began to breed in the brackish soil that was making fast between the city and the sea.

Who of all those powerful landowners and rich merchants could ever have dreamed that little buzzing insects could sting a great city to death? But they did. Fevers grew more and more prevalent. The malaria-haunted population went more and more languidly about their business. The natives, hardy and vigorous in the hills, were but feebly repulsed. Carthage demanded tribute, and Rome took it, and changed the city's name from Poseidonia to Pæstum. After Rome grew weak, Saracen corsairs came in by sea and grasped the slackly defended riches, and the little winged poisoners of the night struck again and again, until grass grew in the streets, and the wharves crumbled where they stood. Finally the wretched remnant of a great people wandered away into the more wholesome hills, the marshes rotted in the heat and grew up in coarse reeds where corn and vine had flourished, and the city melted back into the wasted earth.

"The Great French Revolution," by Peter A. Kropotkin (G. P. Putnam's Sons, New York, $2.25), and "The Tribunal of the Terror," by G. Lenotre (J. B. Lippincott Company, Philadelphia), present different aspects of the same great drama. "The Tribunal of the Terror" indicates more careful study, and is much more detailed. Prince Kropotkin divides the Revolutionists sharply into two classes, the conservatives and the radicals, and he rejoices in the victory of the radicals and laments the victory of the conservatives. The conservatives were the bourgeois who aimed to substitute the supremacy of capital for that of blood; the radicals were the democrats who aimed to establish the reign of the common people. The death of Robespierre was the triumph of reaction; the opponents of the Terror were as truly Terrorists; and the end of the Revolution was the victory first of the middle class and then of the Royalists. That the factions in the French Revolution can be classified in any such clear-cut fashion we do not believe. That the Revolution was industrial even more than it was political, that the frenzy of the people was incited by hunger more than by a merely political passion for equal rights, is true. But it was to a frenzy they were excited, and the factions in a frenzied mob cannot be classed and ticketed like passengers in a train or even like parties in a normal deliberative assembly. When the fever had run its course, the reaction was inevitable. Mr. Lenotre's description of the proceedings before the Tribunal of the Terror is given in greater detail than we have elsewhere met with. It purports to be the result of a patient and protracted study of original sources in the French national archives. A sentence in the preface indicates the nature of the author's research: "A line in a report, a phrase in a *procès-verbal*, a precise statement in a deposition, the accounts of architects, and even the bills of tradespeople and workmen, have supplied me with indications which substantiated each other and formed as a whole a sort of re-edification." His book treats only one feature in the Revolution; it is a monograph; but it will be almost indispensable to the future English student of the great drama.

In "Three Legations" is a very charming history of well-known people in the midst of stirring events, told by Madame Charles de Bunsen in letters to her family written at the time. Her husband was Secretary and then Councilor in the Prussian Legations at Turin, Florence, and The Hague, and as in each Legation they "lived through" a war and were present at a royal massacre, Madame de Bunsen has much that is interesting to tell. While they were in Turin and Florence, Italy, first with the help of France and then with the help of Prussia, was strug-

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gling against the domination of Austria. It was while they were in Florence that Venice was ceded first to Napoleon III and then by him to Italy. The account of King Victor Emmanuel's reception in Venice at this time is one of the most delightful chapters in the book. From The Hague Herr Charles von Bunsen and his wife watched the war of 1870 between Germany and France. As Madame de Bunsen's brother was a captain of artillery in the German National Guard and her husband was in the German diplomatic corps, she was deeply stirred by the "terrible emotions" of this war. However, she does not give way to her emotions in the book, and her account of The Hague is full of amusing details of court life. Her family connections made her cosmopolitan and therefore broad-minded, and her descriptions both of events and of people are vivid and characteristic. (Charles Scribner's Sons, New York. $3.50.)

Miss Agnes C. Laut's "Canada, the Empire of the North" makes no pretensions to being a "formal" history of Canada. Rather, it is Miss Laut's aim, in her own words, "to recreate the shadowy figures of the heroic past, to clothe the dead once more in flesh and blood, to set the puppets of the play in life's great dramas again upon the stage of action." The book is, indeed, a lively, entertaining narrative of the early exploration and settlement of Canada, marred somewhat, it is true, by its author's characteristic fondness for mixing tenses and by occasional carelessness in accuracy of statement, but still thoroughly readable and sufficiently informing. Unlike most writers on Canadian history, Miss Laut pays ample attention to the colonization and first development of Canada West, her chapters on the bitter and often bloody struggle for possession of the great fur-yielding region beyond the limits of settlement being easily the best in the book. With this phase of the subject, of course, she is particularly well acquainted, as all readers of her earlier works are aware. It does seem a pity, however, that she did not select a more appropriate, not to say less misleading, title. Any book published under the name of "Canada, the Empire of the North" should offer at least some account of the present-day development of the country, for it is only since Confederation that Canada may in any rightful sense be described as an "empire." Yet the story stops short with the making of Confederation, and even fails to give an adequate idea of the critical events that led up to and compelled Confederation. (Ginn & Co., Boston. $1.75.)

Two books have recently appeared on the subject of the reunion of Christendom. One is "Christian Reunion," by Frank Spence (Hodder & Stoughton, London). Its British source is evident in every chapter. The other is "Church Unity," by Charles A. Briggs (Charles Scribner's Sons, New York, $2.50). Though American in origin, it is not distinctively American in tone. Both start with an examination of the New Testament Church. Both point out the fact that the Church as we know it has so departed from its original form that the very word Church has come to have a meaning which is misleading when that word is applied to New Testament conditions. Professor Briggs notes the suggestion which Dr. Hart made, that the Greek word for the New Testament Church be not translated, but transliterated, "ecclesia," when it is used to express the New Testament idea. Mr. Spence has adopted the suggestion, and throughout uses for the reunited Church the phrase "the Ecclesia of God." Both writers (Professor Briggs with detailed discussion) point out that in New Testament time the "Ecclesia" was the whole body of Christians in a city or a limited region—*e. g.*, the Ecclesia of Antioch or of Laodicea. Mr. Spence would have the churches move towards that ideal. After a prolonged discussion, he outlines a constitution for such a city Ecclesia. He evidently contemplates the continuation of denominations, but believes that what are practically local or municipal Church federations may succeed in eliminating the wasteful competition that is the shame of the Church to-day. Professor Briggs writes from the point of view of the scholastic student. Even in those passages in which he criticises most sharply the errors of "scholastic divines," his language is that of the theologian. He is interested in the reconciliation of those who believe in transubstantiation or predestination or other traditions and doctrines with those who do not. He recounts at length the problems raised by the use of incense and lights, and by the reservation of the sacrament. He scarcely indicates, except possibly by a phrase at the very end, that he is aware of the danger to the Church that has come from its ineffectiveness in the face of the great moral problems raised by conditions of modern society. He suggests a possible way of agreement concerning the validity of clerical orders, and even suggests a constitutional papacy as a possible basis of Church unity. Of the two, Mr. Spence's book is the more amateurish, but deals much more with realities. For our part, we welcome both volumes, because they will help to keep the subject in view, but we expect the solution to come in response, not to a theory of the New Testament Church or to the desire for agreement on ritualistic, doctrinal, or governmental theories, but to the recognition of the need for co-operation in the presence of moral problems that demand the whole strength of the Church.

Among men who have occupied an interesting position with regard to latter-day politics, the Hon. Adlai Stevenson has enjoyed a particularly profitable standpoint. As is well known, Mr. Stevenson is an Illinois man. In his "Something of Men I Have Known" there are, naturally, tributes to

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Lincoln and Douglas. The volume is a hodgepodge of recollections of interesting men. To realize its extent one has but to look over the list of illustrations, comprising portraits, among others, of Tilden, Hoar, Blaine, Garfield, Banks, Morrison, Springer, Randall, Stephens, Lamar, Cox, McKinley, Lincoln, Johnson, Grant, Seymour, Douglas, Evarts, Trumbull, Vilas, and Bryan. Mr. Stevenson has many stories to tell about these men. One gets a little different idea about some. The book is of value, therefore, in humanizing a number of personages who may have been regarded too much in a purely political light, and in showing us a number of statesmen who were perhaps quite as well worth knowing for their kindly humor as for their professional and political attainments. The volume is noteworthy because of Mr. Stevenson's incumbency of the Vice-Presidency from 1893 to 1897. Five Vice-Presidents have, upon the death of the President, succeeded to the Presidency. These Vice-Presidents were Tyler, Fillmore, Johnson, Arthur, and Roosevelt. Mr. Stevenson says that the Vice-President of the United States is the presiding officer "of the most august legislative assembly known to men. In the event of an equal division in the Senate he gives the deciding vote. This vote, many times in our history, has been one of deep significance." (A. C. McClurg & Co., Chicago. $2.75.)

Washington Irving's "Legends of the Alhambra," which Prescott described as "a beautiful Spanish sketch-book," and which is as characteristic of the sympathetic imagination, pictorial quality, and flowing sentiment of Irving as any other of his books, has been republished in a handsome quarto, with full-page illustrations by George Hood, and with decorations, both architectural and characteristic, filling the broad spaces of the pages. The full-page work both in color and design happily reproduces the Oriental spirit. There is an introduction by Mr. H. W. Mabie. (The J. B. Lippincott Company, Philadelphia. $2.50.)

Among the new novels lately published and not already mentioned here there are at least five that one ought not to miss, though for different reasons: Maarten Maartens's "The Price of Lis Doris" (D. Appleton & Co., New York, $1.50), because it is the story of a great love sacrifice, and because it has wit and unusual characters, is a curiously interesting picture of Dutch life, and combines keen satire and high idealism; Mr. Henry Newboldt's "The New June" (E. P. Dutton & Co., New York, $1.50), because it is the work of a scholar and romancer who too elaborately but with real imagination shows how in the reign of Richard II two vitally hostile political and religious elements strove for mastery with effects that still last; Mr. Phillpotts's "The Haven" (John Lane Company, New York, $1.50), because it is a close, thoughtful study of universal human nature as it appears in the humble life of Devon fisher folk—although it should be added that in action and motive the novel is not on a par with "The Secret Woman" or "The Three Brothers;" Meredith Nicholson's "The Lords of High Decision" (Doubleday, Page & Co., New York, $1.50), because it is a capital presentation of a big capital-and-labor city, Pittsburgh, with strong characters, good and bad, foolish and wise, and because, more than any other story of its class we know, it lets the facts do their own preaching and abstains from boring industrial arguments; finally, Mr. W. W. Jacobs's "Sailors' Knots" (Charles Scribner's Sons, New York, $1.50), because it has many a slyly humorous turn and is jolly without being "comic."

LETTERS TO THE OUTLOOK

THE CORPORATION TAX: A REJOINDER

In his answer (printed in The Outlook of January 1) to my article (which appeared in The Outlook of November 20) on the Federal Corporation Tax Mr. Bayne takes the position that it is not a franchise tax but "merely a tax on the doing of business." In other words, he disagrees with President Taft, who said in his Message recommending the tax to Congress that it is "upon the privilege of doing business as an artificial entity and the freedom from a general partnership liability enjoyed by those who own the stock." Was President Taft mistaken? The Supreme Court has taken the same view of the nature of similar taxes imposed by States. As Professor Goodnow points out in the "Columbia Law Review" for December, the Court "has in a number of cases upheld a State tax on the dividends or amount of business of domestic corporations *as a corporate franchise tax*."[1]

Mr. Bayne, however, contends that even if the tax is a franchise tax, nevertheless it is within the power of Congress; "that the Constitutional barrier of State sovereignty is raised only against taxation by Congress which directly impedes the exercise by the States or by their agencies of the States' strictly governmental functions."

Even so, Mr. Bayne seems to me to concede that the tax is unconstitutional so far as intra-State public service corporations are concerned. To provide means of transit and intercommunication for its citizens and troops has commonly been regarded as a governmental function of a State. In the exercise of that function Rome built her

[1] Citing 6 Wall., 594; id., 611; id., 632; 134 U. S., 594

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roads and New York her Erie Canal. The State may exercise that function without private co-operation, or it may (and in this age of railways usually does) exercise it by conferring appropriate corporate franchises on individuals and leaving them to do the rest, subject to State supervision. Surely a tax on such franchises would seem to impede the exercise by the States of a governmental function.

Turning to the franchises of private business corporations, I cannot agree with Mr. Bayne that he "has found a number of decisions recognizing the right of Congress to tax the exercise of such privileges." All but three of the cases he cites will be found, on examination, to involve taxes on *business*, not on franchises. The three cases in question are the Veazie Bank case,[1] the Federal Inheritance Tax case,[2] and the South Carolina Dispensary case.[3] The Veazie Bank case was discussed in my former article.

In the Knowlton case the Court discusses and overrules the contention that Congress cannot impose an inheritance tax because inheritances are regulated by State law. At first blush the case may seem to recognize a right in Congress to tax a privilege conferred by a State, but on closer analysis it will be found that this question was not really involved. An inheritance tax falls on the *transmission*.

The transmission, or transfer, is not a privilege granted by a State, but necessarily results from the fact of death. A man dies and his property perforce passes from him. That is the transmission. The State does not originate it, but merely prescribes the channels in which it shall flow. This right of regulation is not the subject of the tax.

The South Carolina Dispensary case does not seem to me to touch the question at all. The tax upheld in that case was a tax on the business of selling liquor. The right to sell liquor is not a franchise granted by the State any more than the right to sell boots, though the State, in the exercise of the police power, may regulate the business or even take it over altogether and conduct it through agents of the State. South Carolina has done this, and the question in the case was as to the right of Congress to tax a State agency. The question of the right to tax a franchise or privilege from the State was not involved.

It is worthy of note that in both these cases the Court lays great stress on the historical argument, *i.e.*, that the power of Congress to impose the taxes in question had been conceded from the foundation of the Government and frequently exercised. The Federal Corporation Tax, on the contrary, is an innovation of the year 1909.

Mr. Bayne argues in effect that to concede that a corporation is taxable by Congress on its business concedes everything; that its right to do business is as much a privilege from the State as its franchise of corporate capacity. This argument seems to me to involve a misconception. When A, B, and C incorporate a dry goods business, they do not obtain from the State the right to sell dry goods. That right was theirs already. What the State, in the exercise of its sovereign power, confers on them is the privilege of corporate capacity and freedom from a general partnership liability. Because they are taxable on the business it by no means follows that they are taxable by Congress on the privilege. CHARLES W. PIERSON.

New York.

[1] 8 Wall., 533.
[2] Knowlton vs. Moore, 178 U. S., 41.
[3] South Carolina vs. United States, 199 U. S., 437.

FROM CHICAGO TO THE GULF

In your issue of November 13 Mr. Arthur Hale discusses the proposed fourteen-foot channel from Lake Michigan to the Gulf of Mexico, and says that "it will not be used for freight to Europe." One reason given is that "there is already a fourteen-foot channel from Chicago to Montreal, which makes a shorter and better route to Europe" than via New Orleans.

Before accepting this statement as wholly correct, consideration should be given to the fact that over one thousand miles of the Southern route is open to navigation the entire year, and two hundred miles more between St. Louis and Cairo is free from obstruction by ice an average of twenty out of forty-three years, and has never been closed more than fifty-nine days in any one year. The reach from Chicago to St. Louis is often open in midwinter, and under the worst conditions is closed by ice for only a relatively short period of time. The Northern route by the Lakes and Montreal is closed by ice about five months each year, which materially limits its usefulness.

Again, Mr. Hale says: "Of course the lake portion of the present route is superior to any canal that can be built." This much is granted, but it must not be forgotten that the Chicago-Montreal route has quite as many miles of canal navigation as the proposed route from the Lakes to the Gulf. In the first-named route there are 73 miles of canal proper, with 48 locks; the other route requires 9 locks in 63 miles of canal; the remainder of the 1,625 miles being preferably open river navigation.

The most remarkable statement, however, is that the channel will not be used for freight destined to European ports. The reasons for this view are not given. The port of New Orleans is already third in the value of its imports and exports, being exceeded only by New York and Boston; and Galveston, another Gulf port, stands fourth on the list. The volume of traffic at the Gulf ports is increasing far more rapidly than is the case with the Atlantic ports, and it is altogether probable that one of the Gulf ports will stand second on the list in the near future. The North-and-South railway lines of the Mississippi Valley are carrying a very large volume of export grain, cotton, and other commodities *en route* to European coun-

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tries. These lines have already experienced conditions when their facilities were wholly inadequate to meet the requirements, and with the comparatively undeveloped condition of the territory they attempt to serve. This, coupled with the decided advantage of water transportation in point of economy, justifies the belief that a suitable Lakes-to-the-Gulf waterway will not only carry a large volume of our surplus products destined to European and other foreign ports, but will prove to be National and not local in its benefits.

By all means give due consideration to every phase of the question in estimating the value to the Nation of a Lakes-to-the-Gulf waterway.

St. Louis, Missouri. J. A. OCKERSON.

OSCAR STRAUS AND THE AMERICAN POLICY IN TURKEY

When Mr. Oscar Straus was appointed Ambassador by President Taft to represent the United States Government at the Court of Othman, it was supposed by many persons familiar with Turkish and American affairs that the State Department intended to inaugurate a militant and progressive policy in Turkey. The following passage from the annual Message of the President to Congress justifies this conjecture: "The quick transition of the Government of the Ottoman Empire from one of retrograde tendencies to a constitutional government with a parliament and with progressive modern policies of reform and public improvement is one of the important phenomena of our times. . . . In that quarter the prestige of the United States has spread widely through the peaceful influence of American schools, universities, and missionaries. There is every reason why we should obtain a greater share of the commerce of the Near East, since the conditions are more favorable now than ever before."

But in order to "obtain a greater share of the commerce," or, in other words, to expand American National and private business in Turkey, it is necessary to inspire the Turks with respect toward American religious and educational institutions and the rights of American citizens. The European Powers have always succeeded in securing full reparation for the wrongs inflicted upon their citizens in the Turkish Empire, while the claims of the American Government accruing from similar causes have been entirely disregarded with impunity. For instance, the indemnity imposed upon Turkey by the United States for the loss of life and property of its citizens in the massacres of 1895 and 1896 still remains unpaid, and the deaths of two valiant American missionaries, Mr. Maurer and Mr. Rogers, who were slain during the recent reactionary outbreak in the Province of Adana, are unavenged. The prestige and the interest of the American Government require an immediate settlement of its standing claims against Turkey. The deaths of its citizens must be avenged and the wrongs inflicted upon them must be redressed.

It is not only detrimental to the commercial interests of the United States, but also an affront to its humanitarian spirit, that Christian students of American schools in Turkey should be slaughtered and the missionaries should perish while trying to protect them. These chronic massacres must cease; otherwise the religious and educational institutions of America, the only bright spot in the dark history of Turkey, will be wiped out and the life-work of self-sacrificing American philanthropists be annihilated.

There is also the question of naturalization. The United States Government has for nearly thirty years been trying to conclude some sort of a naturalization treaty with Turkey, but in vain. Turkey has maintained the most ancient custom in Europe, and flatly denied the right of any Ottoman subject to renounce his nationality. In 1868 Congress declared that "the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness," and the increasing educational and commercial interests of America make the negotiation of such a treaty with Turkey imperative.

It was with a keen foresight on the part of President Taft that the task of safeguarding the American interests in Turkey was intrusted to Mr. Straus, who, being a Jew, cannot be suspected by the Christian Powers or accused by the Turkish Government of undue zeal in his effort to ascertain the racial, commercial, and religious oppression of the Christian element in Turkey. The result of his investigation into the wrongs endured by American citizens will be accepted as impartial by the whole civilized world.

Mr. Straus has already given ample evidence of his ability to safeguard the interests of the United States unwaveringly during his two previous terms as Minister to Turkey—first under President Cleveland, and later under President McKinley. Until 1887, when he first went to Turkey, the interests of the American citizens were not adequately protected. American missionaries in Turkey practically had to rely upon the representatives of Great Britain and France for assistance in carrying on their evangelical and educational work. And it was through the protection of the representatives of these two countries that the existence of a Protestant community was made possible in the Turkish Empire. Mr. Straus showed himself a different type of statesman—honest, sagacious, energetic, and uncompromising. He never fell under any moral obligation by accepting presents either from the Sultan or his menials. By his incorruptible character Mr. Straus rehabilitated the honor of American statesmanship, so debased by some of his easy-going predecessors. While he

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was Minister at Constantinople the American missionaries not only enjoyed full protection of their rights, but also succeeded in securing more charters for churches and schools from the Sultan than they had ever had before. It must be remarked, in passing, that charters for Christian churches are granted very reluctantly in Turkey, where the Moslem law does not recognize any church separate from the State.

In a recent despatch from Constantinople to the State Department Mr. Straus called the attention of the American public to the deplorable condition of the Armenian survivors in the massacre-stricken district of Cilicia. By this his first official act Mr. Straus has proved that he not only will safeguard the interests of America, but will also uphold the cause of humanity.

ARSHAG D. MAHDESIAN
(Editor of "Armenia and Ardziv").

CANADA AND THE UNITED STATES

In response to an inquiry in a private letter, a prominent journalist of Toronto has written the following very interesting comments on the possibility and desirability of reciprocal trade relations between Canada and the United States:

You ask me about Canadian opinion on free trade within the continent. If we had never erected tariff barriers along the boundary, no one would dream of putting them there. But they are there, and their existence for so many years has resulted in the building up of many industries the existence of which depends upon the continued maintenance of tariff barriers. These interests are powerful politically—to a large extent they control the press. In any event, they would offer strong opposition to any movement for free trade. To pull the bars down at once would result in great loss and not a little distress. Were I in supreme control myself, I would lower the duties, not all at once, but gradually.

The whole question of our trade relations with you was threshed out very thoroughly in 1891. The Liberals were then bitterly opposed by the manufacturing interests and were prepared to go a long distance in the direction of continental free trade, but we had no assurance that you were ready to reciprocate, and we failed of success by a narrow margin. If we could have shown our people that Liberal success meant continental free trade, I am convinced that we would have won. Even when we did win in 1896 on another issue, we appointed a commission to negotiate with you. We were prepared to go a long, long way, but your commissioners told us that your Senate would give us very little, and the negotiations resulted in nothing. Then we looked elsewhere. Have you thought of what free trade between the two countries would mean? With free trade between us there would have to be a common tariff against the rest of the world. If, for instance, our tariff on European goods were lower than yours, these goods would pour through Canada into the United States and we should get more than our share of customs receipts, while you would be practically subject to a tariff which you did not make. Such a state of things could be remedied only by our having a common tariff against the outside world and a pooling of customs receipts, with a distribution of the same on the basis of population or some such basis. But who would make such a tariff? Certainly not Canada! The result would probably be that we should be under a tariff made by you. Naturally, if we got so far as to have a common tariff, an agitation would at once arise for representation in the tariff-making body, or, in other words, political union. But the great practical objection to a commercial union with you is this: An additional market of 90,000,000 would result in our manufacturers having to change their methods of business—having to specialize. Machinery suitable for existing trade would not suit under the changed conditions. New machinery would have to be put in, new connections would have to be secured. Yet, notwithstanding all this outlay, the element of permanence would be lacking. If such an arrangement were made either by concurrent legislation or by treaty, it would be only for a term of years. At the end of that time it might be terminated. Our manufacturers would lose nine-tenths of their customers, and their machinery and plant would, to a large extent, be useless; while, at the worst, your manufacturers would lose only one-tenth of their trade. Do you wonder that our people rather shrink from an arrangement which might have such a result? Political union would be far preferable. It would give permanency.

The line to be taken, in my humble opinion, is clear, and the decision rests with you. Our tariff on your products is far lower than your tariff on ours. Lower that tariff until we are more nearly on an equality. Your advances will, I feel sure, be met on this side. Whatever may be the ultimate result, there is no doubt of this: that it will make for more liberal trade relations, and that our commerce, which for some years past has flowed east and west, will move north and south in increasing volume. Such action on your part would seem to me reasonable, statesmanlike, and feasible, and the obvious course at the present time.

By the way, keep your eye on the Canadian West. Mr. Sifton, former Minister of the Interior, and one of our ablest public men, told a friend of mine the other day that in less than ten years 5,000,000 Americans will have taken up their homes there. Would not a policy that would assure liberal trade relations between the United States and these people be worthy of the highest statesmanship? G.

Toronto, Canada.

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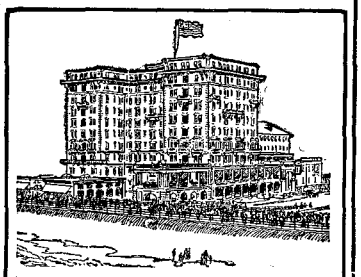

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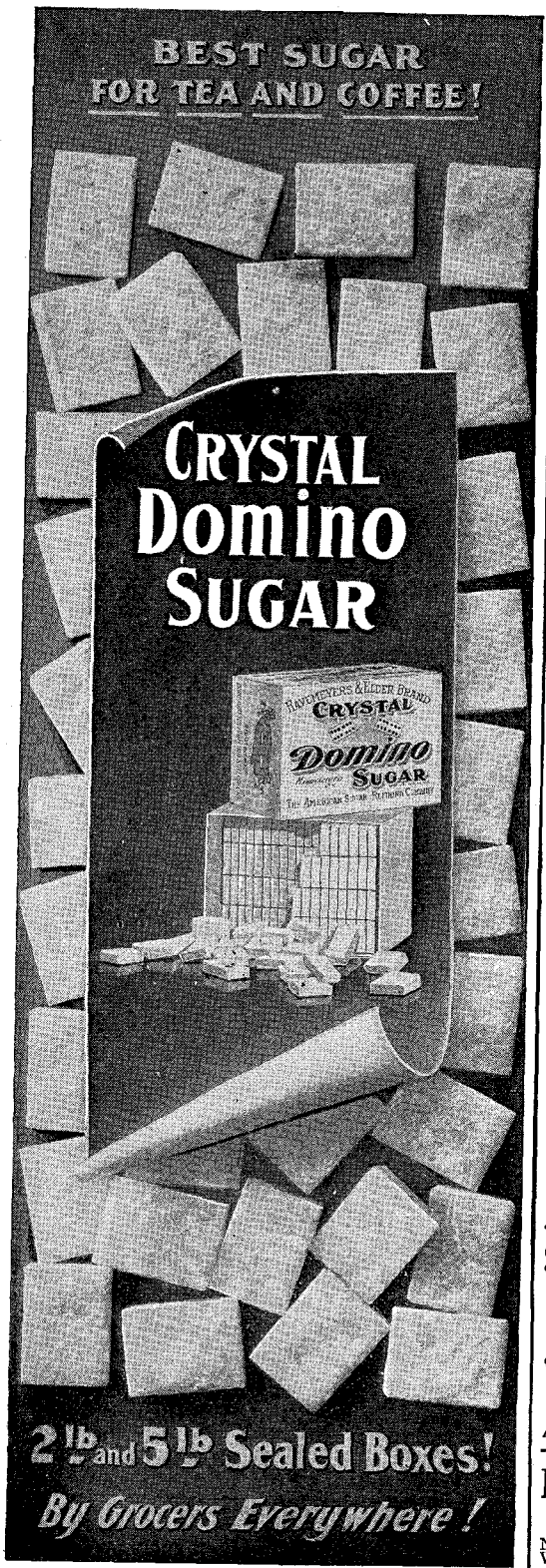

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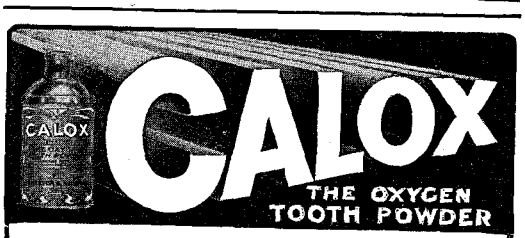

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